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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

VOTES

MEETING MINUTES - DRAFT

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Tuesday, July 11, 2006 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:00 p.m. On the call of the roll Supervisors Alioto-Pier and Ammiano were noted absent.

There was a quorum.

Supervisor Alioto-Pier was noted present at 2:02 p.m.
Supervisor Ammiano was noted present at 2:06 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to approve the June 6, 13, and 20, 2006 Board Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Ammiano

AGENDA CHANGES

CONSENT AGENDA

Recommendations of City Operations and Neighborhood Services Committee

060083 **[Public Works Code – enclosure of garbage receptacles]**
Supervisors McGoldrick, Ma

Ordinance amending Public Works Code Section 170 to require that garbage receptacles, after collection, be returned to an enclosed area or other area that blocks views of the receptacle from the public right-of-way; and making environmental findings.

FINALLY PASSED

3 1223 07087 1216

060539 **[Modifying the driving requirement for designated taxi company key personnel]**
Supervisor Elsbernd

Ordinance amending the San Francisco Police Code by adding Section 1081.5, to modify the driving requirement for designated taxi company key personnel.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

060266 **[Japantown Special Use District]**
Supervisors Mirkarimi, Ma

Ordinance adding Planning Code Section 249.31 to establish the Japantown Special Use District for property generally bounded by Bush Street, Geary Boulevard, Laguna Street, and Fillmore Street, as defined herein, to require conditional use authorization and additional Planning Commission findings for specified uses, and to require specified notice, including additional posted notice; amending Planning Code Section 703.3 to require conditional use authorization for the establishment of formula retail uses in this District; amending the City's Zoning Map Sectional Map 2SU to reflect the boundaries of this District; requiring a report on the status of this District; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

FINALLY PASSED

060668 **[Landmark Designation of 557 Ashbury Street/1500-1512 Haight Street (the Richard P. Doolan/Norman T. Larson Residence and Storefronts)]**
Supervisors Mirkarimi, Peskin, Elsbernd

Ordinance Designating 557 Ashbury Street/1500-1512 Haight Street, the Richard P. Doolan/Norman T. Larson Residence and Storefronts, as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings (Planning Department)

FINALLY PASSED

060824 **[Authorizing the Port to award a contract, without competitive solicitation, for the crushing, removal, and/or disposal of debris and/or contaminated soils on Pier 94, Seawall Lot 352]**
Mayor

Ordinance authorizing the Port of San Francisco to award a contract, without competitive solicitation, for the crushing, removal, and/or disposal of construction demolition debris and/or contaminated soils on Pier 94, Seawall Lot 352.

FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

060247 **[Minimum Wage Implementation and Enforcement]**
Supervisors Maxwell, Ammiano, Daly, Mirkarimi, McGoldrick

Ordinance (1) amending Chapter 12R of the San Francisco Administrative Code (Minimum Wage Ordinance) to impose an annual fee upon employers to defray the City's costs of implementing and enforcing the Minimum Wage Ordinance, (2) expanding the powers and duties of the Office of Labor Standard Enforcement to implement and enforce the Minimum Wage Ordinance, and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the regulatory fees imposed by this ordinance are not a "project" and that such fees are imposed for the purpose of meeting operating expenses of the Office of Labor Standards Enforcement or successor department of the City and County of San Francisco, including employee wage rates, fringe benefits and other direct and indirect overhead charges, attributable to the implementation and enforcement of the Minimum Wage Ordinance.

(Fiscal impact.)
(Supervisor Elsbernd dissented in committee.)

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

060728 [Public Employment, Fiscal Year 2006-2007]
Mayor

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2007, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

Fiscal Impact.

(Charter Section 9.100 provides the Board shall not adopt the Budget eariler than July 15, 2006 nor later than August 1, 2006.)

Continued to July 18, 2006

Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060729 [Government Funding, Fiscal Year 2006-2007]
Mayor

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2007.

Fiscal Impact.

(Charter Section 9.100 provides the Board shall not adopt the Budget eariler than July 15, 2006 nor later than August 1, 2006.)

Continued to July 18, 2006

Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060738 [Treasure Island Development Authority Budget]
Mayor

Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2006-2007.

Fiscal Impact.

Continued to July 18, 2006

Supervisor Daly, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060739 [Redevelopment Agency Budget and Bonds]
Mayor

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2006-2007; approving the Issuance by the Agency of Bonds in an aggregate principal amount not to exceed $146,850,000 for the purpose of financing a portion of Redevelopment activities as described in such approved Budget for fiscal year 2006-2007.

Fiscal Impact.

Continued to July 18, 2006

Supervisor Daly, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060767 [Increasing from $35.00 to $50.00 the maximum fee that the Treasurer is authorized to charge for personal checks that are returned without payment]
Mayor

Ordinance amending Chapter 10, Article I of the San Francisco Administrative Code by amending Section 10.13-1 to increase from $35.00 to $50.00 the maximum amount that the Treasurer is authorized to charge if a personal check offered in payment for any license, permit, fee, fine or obligation owing to the City and County of San Francisco, is returned without payment.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060769 [Increasing Arts Commission Civic Design Review Fees]
Mayor

Ordinance amending the San Francisco Administrative Code by amending section 3.19A to increase administrative fees for Arts Commission civic design review and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060697 **[Fee Adjustments for Planning Department Services]**
Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Sections 31.22 and 31.23 to adjust fees for Planning Department services; and making environmental findings.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060699 **[Fee Adjustments for Planning Department Services]**
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making environmental findings.

Amended on page 9, line 11, by replacing "$400.00" with "$300.00"; and further amended on page 13, line 21, by replacing "$70.00" with "$72.00".

Supervisor McGoldrick, seconded by Supervisor Ma, moved that this Ordinance be AMENDED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060771 **[Recreation and Park Department – Fees at Harding Park and Fleming Golf Courses]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, Section 12.12, to increase the fees at Harding Park and Fleming Golf Courses.

(Supervisor Daly dissented in Commitee.)

PASSED ON FIRST READING by the following vote:
Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Ammiano, Daly, Ma, Mirkarimi

060772 **[Recreation and Park Department - Kezar Parking Fees Increase]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, Section 12.08, to increase the fees for parking at the Kezar Parking Lot.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060773 **[Recreation and Park Department - Professional Tennis Lesson Fees]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.41, to charge fees for professional tennis lessons.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060775 **[Recreation and Park Department - Coit Tower Fee Increase]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, Section 12.06, to increase the fees for admission to Coit Tower.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060776 **[Recreation and Park Department - Camp Mather Senior Camp Fees, Cancellation and Other Administrative Fees]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, Section 12.01, to add Camp Mather Senior Camp fees, and cancellation and other administrative fees; and amending Park Code Section 12.03 to add an administrative fee for changes made to the number of meals ordered after the reservation is final.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060777 **[Recreation and Park Department - Japanese Tea Garden Fee Increase]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, Section 12.05, to increase admission fees, reduce free hours, and allow discounts and promotions at the Japanese Tea Garden.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060778 **[Public Works Code - Tree removal permit fee]**
Mayor

Ordinance amending Public Works Code Sections 802 and 806 to establish a minimum in-lieu fee when tree planting requirements are waived or for the removal or destruction trees subject to Article 16 (the Urban Forestry Ordinance); to establish fees for removal of such trees based on the number of trees proposed for removal; and to provide for an annual adjustment of said fees; and making environmental findings.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060779 [Annual License Fees]
Mayor

Ordinance (1) amending the San Francisco Police Code by amending Section 2.26 to increase the annual license fees for Place of Entertainment Permits and Extended Hours Premises Permits, and (2) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the adjustments to the annual license fees are not "projects" and that such annual license fees are imposed for the purpose of meeting operating expenses of the Entertainment Commission, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to such annual licenses.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060780 [Amending Subsections of Section 106 of the San Francisco Fire Code to increase fees for services and permits]
Mayor

Ordinance making environmental findings and amending Sections 106.8, 106.8.2, 106.12, Table 106-A and Table 106-C of the San Francisco Fire Code to increase fees for Fire Department services and permits, to become operative on its effective date or on July 1, 2006, Whichever is later.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060781 [Authorizing the Treasurer and Tax Collector to charge a fee of $25 for issuing a duplicate Business Registration Certificate]
Mayor

Ordinance amending Article 12 of the San Francisco Business and Tax Regulations Code by adding Section 856.1 to authorize the Tax Collector to charge a fee of $25 for issuing a duplicate business registration certificate requiring a notation in the record of the loss or destruction of the original certificate and making a finding that the actions contemplated in this Ordinance are in compliance with the California Environmental Quality Act.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060782 [Patient Rates]

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2006.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060894 **[Proposition J Contract/Certification of Contracted-Out Services For Youth Services Program]**
Mayor

Resolution concurring with the Controller's certification that services previously approved under Proposition J can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: youth programs (Juvenile Probation).

(Fiscal impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060988 **[Redevelopment Agency Loan Agreement]**

Resolution approving the execution of the Bayview Hunters Point Redevelopment Project Area and Survey Area Loan Agreement in a principal amount not to exceed $921,000 for implementation and planning activities and the Visitacion Valley Redevelopment Survey Area Loan Agreement in a principal amount of $531,000 for planning activities.
Version.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060793 **[Aging and Adult Services Community Living Fund]**
Supervisors Alioto-Pier, Maxwell, Ammiano, Dufty, Ma

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-12, to create an Aging and Adult Services Community Living Fund to fund aging in place and community placement alternatives, including programs and services provided in an individual's home, programs and services provided in assisted living facilities, supportive housing and congregate housing; and provide care and support for individuals who may otherwise require care within an institution.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060784 **[Reimbursement resolution for proposed capital projects]**
Mayor

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures relating to the San Francisco General Hospital replacement project, the Hall of Justice replacement project, the Mission Bay Fire and Police Facilities project, the Auxiliary Water Supply System reconstruction and renovation project and the Forensic Crime Laboratory replacement project from the proceeds of future indebtedness; and making related findings.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060949 [Approval of FY06-07 Expenditure Plan for the Human Services Care Fund]
Supervisor Daly

Resolution approving the FY06-07 Expenditure Plan for the Human Services Care Fund.

(Fiscal impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee Without Recommendation

060768 [Creation of Budget Savings Incentive Fund]
Mayor

Ordinance amending the San Francisco Administrative Code by repealing Section 3.17 and by adding Section 10.20, to create a Budget Savings Incentive Fund to implement cost-saving strategies and to allow for the reinvestment of those savings in one-time expenditures.

Fiscal Impact.

Continued to July 18, 2006

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Government Audit and Oversight Committee

060801 [Multifamily Housing Revenue Bonds - Hotel Essex]
Supervisor Daly

Resolution declaring the intent of the City and County of San Francisco (the “City” to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor’s Office of Housing (the “Director”) to submit an application and related documents to the California Debt Limit Allocation Committee (“CDLAC”) permit the issuance of qualified multifamily housing revenue bonds in an aggregate principal amount not to exceed $13,000,000 for the Hotel Essex project; authorizing and directing the Director to direct the Controller’s Office to hold in trust an amount not to exceed $65,000 in accordance with the CDLAC procedures; authorizing the Director to certify CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified multifamily housing revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of qualified multifamily housing revenue bonds by the City in an aggregate principal amount not to exceed $13,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

060698 [Downtown Plan Monitoring]
Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Chapter 10E to delete some of the data currently required in the Planning Department's annual Downtown Plan Monitoring report that details the effects of downtown growth, to change the date for submittal of the annual report to the Board of Supervisors, and to include additional data in the required five-year report.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060849 [General Advertising Signs - Fees]
Supervisor Peskin

Ordinance amending the Planning Code to add Section 358 to establish fees for Planning Department processing and review of General Advertising Sign Inventories, annual Inventory maintenance, Relocation Agreements, and in-lieu applications and to provide for annual adjustment of said fees; amending Section 604 to cross reference these fees; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060483 [Zoning - Western SoMa Planning Area Special Use District]
Supervisor Daly

Ordinance amending the San Francisco Planning Code by adding Section 823 and amending Sheets 1SU, 7SU, and 8SU of the Zoning Map of the City and County of San Francisco to establish the Western SoMa Planning Area Special Use District in the area generally bounded by Mission Street to the north, Townsend Street to the south, Division Street to the west and 4th Street to the east, and consisting of the blocks and lots specifically set forth; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

(Economic Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060482 **[Formula Retail Use; Public Notice - Western SoMa Planning Area SUD]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by adding Section 803.6 to designate formula retail as a conditional use in the Western SoMa Planning Area Special Use District and by adding Section 803.7 to require public noticing requirements for building permit applications in that Special Use District; adopting findings including environmental findings and findings of consistency with the General Plan and with the Priority Policies of Planning Code Section 101.1.

(Economic Impact)

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

Recommendation of the Rules Committee

060380 **[Requiring Board of Supervisors to adopt parental leave policies for members of boards and commissions, including authorization to teleconference when physically unable to attend due to pregnancy or childbirth]**
Supervisor Alioto-Pier

Charter Amendment (Third Draft) to amend Sections 2.104 and 4.104 to require the Board of Supervisors to adopt parental leave policies for its members and for members of other boards and commissions, including, but not limited to, authorization to participate in meetings by teleconferencing when the member is physically unable to attend due to pregnancy or childbirth.

Continued to July 18, 2006

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee Without Recommendation

060673 **[Charter Amendment - Requiring the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board]**
Supervisor Daly

Charter amendment (Third Draft) to amend Sections 2.103 and 3.100 to require the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal discussions with members of the Board and to authorize the Board to adopt rules and guidelines.

Continued to July 18, 2006

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060696 **[Charter Amendment - Setting the salary of the Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff]**
Supervisors Peskin, Alioto-Pier, Mirkarimi, Dufty

Charter amendment (Second Draft) to amend Section A8.409-1 to provide that the Civil Service Commission shall set the salary of the Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff every five years, with annual cost-of-living adjustments during the five-year salary cycle.

Continued to July 18, 2006

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060707 **[Charter Amendment - City Elections In Even-Numbered Years]**
Supervisors McGoldrick, Maxwell

Charter amendment (First Draft) to amend Section 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

Continued to July 18, 2006

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Sandoval was noted absent at 3:15 p.m.

SPECIAL ORDER 3:00 P.M.

060730 **[Public Hearing - Report of Assessment costs for sidewalk and curb repairs]**

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.
Harry Gulbengay, Department of Public Works representative informed the Board that property owners at 1157 Stanyan Street and 1348 South Van Ness Avenue had submitted payment and should be removed from the DPW Work Order. Supervisor Maxwell, seconded by Supervisor Elsbernd, moved to amend the DPW Work Order to delete the addresses 1157 Stanyan Street and 1348 South Van Ness Avenue.
There were no members of the public to speak.
The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

060725 **[Report of assessment costs for sidewalk and curb repairs]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

(DPW Order No. 176,050. Locations: 1125 Alabama Street; 1522 Church Street; 370 Lexington Street; 1201 Mission Street; 371 Noe Street; 1157 Stanyan Street; 1348 South Van Ness Avenue.)

1157 Stanyan Street and 1348 South Van Ness Avenue were deleted from the DPW Work Order.

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

060835 **[Appointment, Board of Appeals - Robert Haaland]**
Supervisor Peskin

Motion approving the Board of Supervisors President Peskin's appointment of Robert Haaland to the Board of Appeals for the term ending July 1, 2010.

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 060836.)
Transmittal date - June 8, 2006.

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

Supervisor Sandoval was noted present at 3:35 p.m.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed issues with the World Cup
Dr. Ahimas; expressed concern with issues to facilities at Bay View Hunter's Point for the Olympic games and toxic concerns at Bay View Hunter's Point
Richard MCree; expressed concern Sigmond Stern Grove design and recognition of his patent
Francisco di Costa; expressed concern with SF Police Department shooting incidents
Miles; expressed concern with issues relating to an organization who threaten individuals
Eugene Gordon, Jr.; expressed concern with issues relating to the violations of human rights
Male speaker; expressed concern with the closures of the Golden Gate Park horse stables and local politicians
Male Speaker; expressed concern with issues relating to organ transplant in China
Male speaker; expressed concern with issues relating to organ transplant in China
Female speaker; expressed concern with issues relating to organ transplant in China
John da Donna; expressed concern with issues relating to theory of God
James Chaffee; expressed concern with issues relating to statements made at the Budget & Finance committee and SF Public Library and the Friends of the Library
Peter Warfield; showed appreciation for the funding for SF Public Library Sunday Branch openings
Rodney; expressed concern with issues relating to smoking and Halloween concerns

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

060950 **[Legislative Analyst Request - Housing Waiting Lists]**
Supervisor Ma

Motion requesting the Legislative Analyst to review existing housing waiting lists and recommend legislative solutions to create one list of housing availability for rental and ownership opportunities. Please advise on: (1) additional programs and services that could be marketed to this group including eviction prevention, down payment assistance and mortgage pre-qualification; and (2) the appropriateness of prioritizing San Franciscans who have been displaced by evictions. Please also provide assistance in developing and drafting legislation.

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Defendant

060964 **[Closed Session - Potential Litigation - Telephone Users Tax]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding a recent ruling by the Internal Revenue Service (Notice 2006-50) that may result in litigation involving the City related to the Telephone Users Tax in San Francisco - Business and Tax Regulations Code Section 701, et seq. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation. (City Attorney)

Continued to July 25, 2006

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CLOSED SESSION

The Board recessed at the hour of 3:58 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 4:59 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval - 10

Persons in attendance: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Cheryl Adams, Deputy City Attorney
Julie Van Nostern, Deputy City Attorney
Tom Long, Deputy City Attorney
Todd Rystrom, Controller' s Office
Gloria L. Young, Clerk of the Board
Kay Gulbengay, Deputy Clerk

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved not to disclose it's Closed Session deliberations. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

060953 **[Commending the inaugural celebration of FeelGood World's San Francisco Summit to end world hunger]**

Supervisor Dufty

Resolution commending the inaugural celebration of FeelGood World's San Francisco Summit to end world hunger.

ADOPTED

060956 **[Extending the term of service for the Power Plant Task Force; Amending Membership]**
Supervisor Maxwell

Resolution to extend the expiration date of the Power Plant Task Force from November 1, 2006 to June 1, 2007 and amending the membership from Nine to Seven Members.

ADOPTED

060957 **[Ensure minimum quality standards for most petroleum and automotive products sold in California and ensure weighing devices function properly and accurately]**
Supervisor McGoldrick

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend a new grant in the amount of $7,350 from the California Department of Food and Agriculture (CDFA) combining two programs, the Petroleum Products Compliance program and the Weighmaster Enforcement Program; for the period of July 1, 2006 through June 30, 2007.

ADOPTED

060958 **[Encouraging Nanosolar, Inc. to locate its solar manufacturing facility in San Francisco]**
Supervisors McGoldrick, Ammiano, Dufty, Alioto-Pier, Maxwell

Resolution encouraging Nanosolar, Inc. to locate its solar manufacturing facility in San Francisco.

ADOPTED

060959 **[Honoring Nancy Kwan and James Shigeta's return to San Francisco]**
Supervisor Mirkarimi

Resolution honoring Flower Drum Song legends Nancy Kwan and James Shigeta's return to San Francisco.

ADOPTED

060960 **[Need for Statewide Chemicals Policy]**
Supervisor Mirkarimi

Resolution urging San Francisco's State delegation to support statewide efforts to act on the recommendations of the report from the University of California: "Green Chemistry in California: A Framework for Leadership in Chemicals Policy and Innovation" and to develop regulations and policies that promote the production and use of less toxic chemicals.

ADOPTED

060961 **[Koshland Park--Gift-in-Place]**
Supervisor Mirkarimi

Resolution accepting a gift in place valued at approximately $200,000 from the Friends of Recreation and Parks, a non-profit organization, to the Recreation and Park Department for Koshland Park.

ADOPTED

060915 **[Final Map - 1810 Polk Street]**

Motion approving Final Map 3630, a 13 Unit Mixed-Use Condominium Project, located at 1810 Polk Street being a subdivision of Lot 16 in Assessors Block No. 597, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,101; District 3.)

APPROVED

060916 **[Final Map - 1638 Larkin Street]**

Motion approving Final Map 3499, a 8 Unit Residential Condominium Project, located at 1638 Larkin Street being a subdivision of Lot 17 in Assessors Block No. 217, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,106; District 3.)

APPROVED

060917 **[Final Map - 731 47th Avenue]**

Motion approving Map 1746, a 6 Unit Residential Condominium Project, located at 731 47th Avenue being a subdivision of Lot 5 in Assessors Block No. 1597, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 . (Public Works Department)

(DPW Order No. 176,090; District 1.)

APPROVED

060918 **[Final Map - 3184 Mission Street]**

Motion approving Final Map 3612, a 21 Unit Mixed-Use Condominium Project, located at 3184 Mission Street being a subdivision of Lot 46 in Assessors Block No. 6574, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,134; District 9.)

APPROVED

060919 **[Final Map - 1919 Octavia Street]**

Motion approving Final Map 1937, a 6 Unit Residential Condominium Project, located at 1919 Octavia Street being a subdivision of Lot 3 in Assessors Block No. 639, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,052; District 2.)

APPROVED

060920 **[Final Map - 2815 Diamond Street]**

Motion approving Final Map 3271, a 15 Unit Condominium Project, located at 2815 Diamond Street being a merger and re-subdivision of Lots 25A, 26, 27, 28 ,29 and 63 in Assessors Block No. 6745, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,133; District 8.)

APPROVED

060921 **[Final Map - 1468 25th Street]**

Motion approving Final Map 2526, a 25 Unit Live-Work Condominium Project, located at 1468 25th Street, being a subdivision of Lot 62 in Assessor Block No. 4224, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,131; District 10.)

APPROVED

060922 **[Final Map - 3130 - 3134 Noriega Street]**

Motion approving Final Map 3259, a 9 Unit Residential Condominium Project, located at 3130 – 3134 Noriega Street being a subdivision of Lot 7 in Assessors Block No. 2011, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,111; District 4.)

APPROVED

060923 **[Final Map - 25 Sierra Street]**

Motion approving Final Map 3302, a 71 Unit Mixed-Use Condominium Project, located at 25 Sierra Street being a subdivision of Lot 60 in Assessors Block No. 4101, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,097; District 10.)

APPROVED

060937 **[Final Map - 188 King Street]**

Motion approving Final Map 1914, a 45 Unit Mixed - Use Condominium Project, located at 188 King Street being a subdivision of Lot 4A in Assessors Block No. 3794 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

(DPW Order No. 176,173; District 6.)

APPROVED

060938 **[Final Map - 83-91 McAllister Street]**

Motion approving Final Map 3268, a 62 Unit Mixed - Use Condominium Project, located at 83 – 91 McAllister Street being a subdivision of Lot 32 in Assessors Block No. 351 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

(DPW Order No. 175,098; District 6.)

APPROVED

060962 **[Final Map - 2572 3rd Street]**

Motion approving Final Map 1569, a 11 Unit Residential Condominium Project, located at 2572 3rd Street being a subdivision of Lots 38, 39, and 54 in Assessors Block No. 1569 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

(DPW No. 176,104; District 10.)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference to Committee Agenda

Supervisor Sandoval requested that this matter be severed so that it might be considered separately.

060954 **[Urging the City and County of San Francisco to protect our culture from the cultural attacks being waged upon it by non-citizen and non-English speaking residents]**

Supervisor Sandoval

Resolution urging the City and County of San Francisco to protect our culture from the cultural attacks being waged upon it by non-citizen and non-English speaking residents.

REFERRED.

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

060955 **[Urging UCLA to adjust its admission policies to ensure that all minorities, and African-Americans in particular, are appropriately represented in incoming undergraduate classes]**

Supervisor Sandoval

Resolution urging UCLA to adjust its admission policies to ensure that all minorities, and African-Americans in particular, are appropriately represented in incoming undergraduate classes.

REFERRED.

OFF-AGENDA LEGISLATION

Requests for Hearing Motions Introduced by the President at the Request of Departments

Introduced by Supervisors or Mayor

Ordinances

Resolutions

060954 **[Urging the City and County of San Francisco to protect our culture from the cultural attacks being waged upon it by non-citizen and non-English speaking residents]**
Supervisor Sandoval

Resolution urging the City and County of San Francisco to protect our culture from the cultural attacks being waged upon it by non-citizen and non-English speaking residents.
6/27/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
7/11/06, REFERRED.

060955 **[Urging UCLA to adjust its admission policies to ensure that all minorities, and African-Americans in particular, are appropriately represented in incoming undergraduate classes]**
Supervisor Sandoval

Resolution urging UCLA to adjust its admission policies to ensure that all minorities, and African-Americans in particular, are appropriately represented in incoming undergraduate classes.
6/27/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
7/11/06, REFERRED.

PROPOSED ORDINANCES

060845 **[Extending existing restrictions on parking commercial vehicles in specified use districts to include vehicles with a gross combination weight rating in excess of 10,000 lbs.]**
Ordinance amending the San Francisco Traffic Code by amending Sections 63 and 63(A) to extend the restrictions on parking certain commercial vehicles in specified use districts to include vehicles with a gross combination weight rating in excess of 10,000 lbs. (Parking and Traffic Department)
6/23/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 8/10/2006.

060926 **[Landmark Designation of the Doggie Diner sign, located in the median strip of Sloat Boulevard and 45th Avenue]**
Supervisor Elsbernd

Ordinance Designating the Doggie Diner sign, located in the median strip of Sloat Boulevard and 45th Avenue, as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)
6/23/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. SUPPORTING DOCUMENTS: Planning Commission Resolution 17253; Landmarks Advisory Board Resolution 601 and Report.

PROPOSED RESOLUTIONS

060844 **[Gift of Vacant Real Property - Kite Hill]**

Resolution accepting a gift of vacant real property adjacent to Kite Hill at 19th and Yukon Streets (Lot 023, Block 2701A) and placing such real property under the jurisdiction of the Recreation and Park Department; adopting findings pursuant to the California Environmental Quality Act; adopting findings that acceptance of this gift of real property is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to accept the Grant Deed and take certain actions in furtherance of this resolution.

060933 **[Muni 30-foot Hybrid-Electric Bus Procurement]**

Resolution approving the award of Contract No. 350-30 (Procurement of 30 30 Foot Low Floor Diesel Hybrid-Electric Coaches) between the City and County of San Francisco and Orion Bus Industries Inc., in an amount not to exceed $17,132,780.

6/23/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060934 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "G" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Geary Boulevard, north side, between Baker and Lyon Streets (2400 block).

TWO-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
DeHaro Street, both sides, between 15th and 17th Streets.

TOW-AWAY, NO STOPPING, 3 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Sutter Street, north side, between Sansome and Montgomery Streets; and,
Sutter Street, both sides, between Montgomery and Kearny Streets

TOW AWAY, NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - RESCIND
3rd Street, east side, between King and Brannan Streets.

TOW AWAY, NO STOPPING, 3:00 PM - 6:30 PM, MONDAY THROUGH FRIDAY - RESCIND
TOW AWAY, NO STOPPING 3 PM - 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Davis Street, west side, between Sacramento and California Streets.

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
South Van Ness Avenue, west side, from 13th Street to 19th Street

NO PARKING ANYTIME - ESTABLISH
Marin Street, north side, between 3rd and Illinois Streets. (Parking and Traffic Department)

(6/20/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3202.)

6/23/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060935 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
France Avenue at Madrid Street, making this intersection an All-Way STOP; and,
Paris Street at France Street, making this intersection an All-Way STOP. (Parking and Traffic Department)

(6/20/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3202.)

6/23/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060936 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN, 4 PM TO 6 PM, EXCEPT SUNDAY - RESCIND
South Van Ness Avenue, northbound and southbound, at 16th Street

NO LEFT TURN, 7 AM TO 9 AM, 4 PM TO 6 PM, EXCEPT SUNDAY - RESCIND
South Van Ness Avenue, northbound and southbound, at 18th Street. (Parking and Traffic Department)

(6/20/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3202.)

6/23/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060963 **[Muni Thirty-foot Hybrid-Electric Bus Procurement]**

Muni Thirty-foot Hybrid-Electric Bus Procurement
Resolution approving the award of a sole source contract (Procurement of Thirty-foot Low Floor Hybrid-Electric Diesel Coaches) between the City and County of San Francisco and Orion Bus Industries, in an amount not to exceed $17,132,780.

6/29/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060965 **[Accept-Expend U.S. Department of Homeland Security/UC Lawrence Livermore National Laboratory Grant]**

Resolution authorizing the Airport to accept and expend a grant in the amount of $10,000,000.00 from the U.S. Department of Homeland Security, administered by UC Lawrence Livermore National Laboratory for an Air Cargo Explosive Detection System Pilot Program. (Airport Commission)

7/3/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:00 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

Tuesday, July 18, 2006   2:00 PM

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:02 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

AGENDA CHANGES

Supervisor Peskin requested the Clerk of the Board to call File No. 051919 out of order.

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

060767 **[Increasing from $35.00 to $50.00 the maximum fee that the Treasurer is authorized to charge for personal checks that are returned without payment]**
Mayor

Ordinance amending Chapter 10, Article I of the San Francisco Administrative Code by amending Section 10.13-1 to increase from $35.00 to $50.00 the maximum amount that the Treasurer is authorized to charge if a personal check offered in payment for any license, permit, fee, fine or obligation owing to the City and County of San Francisco, is returned without payment.

FINALLY PASSED

060769 **[Increasing Arts Commission Civic Design Review Fees]**
Mayor

Ordinance amending the San Francisco Administrative Code by amending section 3.19A to increase administrative fees for Arts Commission civic design review and making environmental findings.

FINALLY PASSED

060772 **[Recreation and Park Department - Kezar Parking Fees Increase]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, Section 12.08, to increase the fees for parking at the Kezar Parking Lot.

FINALLY PASSED

060773 **[Recreation and Park Department - Professional Tennis Lesson Fees]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.41, to charge fees for professional tennis lessons.

FINALLY PASSED

060775 **[Recreation and Park Department - Coit Tower Fee Increase]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, Section 12.06, to increase the fees for admission to Coit Tower.

FINALLY PASSED

060776 **[Recreation and Park Department - Camp Mather Senior Camp Fees, Cancellation and Other Administrative Fees]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, Section 12.01, to add Camp Mather Senior Camp fees, and cancellation and other administrative fees; and amending Park Code Section 12.03 to add an administrative fee for changes made to the number of meals ordered after the reservation is final.

FINALLY PASSED

060777 **[Recreation and Park Department - Japanese Tea Garden Fee Increase]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, Section 12.05, to increase admission fees, reduce free hours, and allow discounts and promotions at the Japanese Tea Garden.

FINALLY PASSED

060778 **[Public Works Code - Tree removal permit fee]**
Mayor

Ordinance amending Public Works Code Sections 802 and 806 to establish a minimum in-lieu fee when tree planting requirements are waived or for the removal or destruction trees subject to Article 16 (the Urban Forestry Ordinance); to establish fees for removal of such trees based on the number of trees proposed for removal; and to provide for an annual adjustment of said fees; and making environmental findings.

FINALLY PASSED

060779 **[Annual License Fees]**
Mayor

Ordinance (1) amending the San Francisco Police Code by amending Section 2.26 to increase the annual license fees for Place of Entertainment Permits and Extended Hours Premises Permits, and (2) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the adjustments to the annual license fees are not "projects" and that such annual license fees are imposed for the purpose of meeting operating expenses of the Entertainment Commission, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to such annual licenses.

FINALLY PASSED

060780 **[Amending Subsections of Section 106 of the San Francisco Fire Code to increase fees for services and permits]**
Mayor

Ordinance making environmental findings and amending Sections 106.8, 106.8.2, 106.12, Table 106-A and Table 106-C of the San Francisco Fire Code to increase fees for Fire Department services and.permits, to become operative on its effective date or on July 1, 2006, Whichever is later.

FINALLY PASSED

060781 **[Authorizing the Treasurer and Tax Collector to charge a fee of $25 for issuing a duplicate Business Registration Certificate]**
Mayor

Ordinance amending Article 12 of the San Francisco Business and Tax Regulations Code by adding Section 856.1 to authorize the Tax Collector to charge a fee of $25 for issuing a duplicate business registration certificate requiring a notation in the record of the loss or destruction of the original certificate and making a finding that the actions contemplated in this Ordinance are in compliance with the California Environmental Quality Act.

FINALLY PASSED

060782 **[Patient Rates]**
Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2006.

FINALLY PASSED

060793 **[Aging and Adult Services Community Living Fund]**
Supervisors Alioto-Pier, Maxwell, Ammiano, Dufty, Ma

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-12, to create an Aging and Adult Services Community Living Fund to fund aging in place and community placement alternatives, including programs and services provided in an individual's home, programs and services provided in assisted living facilities, supportive housing and congregate housing; and provide care and support for individuals who may otherwise require care within an institution.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

060698 **[Downtown Plan Monitoring]**
Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Chapter 10E to delete some of the data currently required in the Planning Department's annual Downtown Plan Monitoring report that details the effects of downtown growth, to change the date for submittal of the annual report to the Board of Supervisors, and to include additional data in the required five-year report.

FINALLY PASSED

060849 **[General Advertising Signs - Fees]**
Supervisor Peskin

Ordinance amending the Planning Code to add Section 358 to establish fees for Planning Department processing and review of General Advertising Sign Inventories, annual Inventory maintenance, Relocation Agreements, and in-lieu applications and to provide for annual adjustment of said fees; amending Section 604 to cross reference these fees; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

060728 [Public Employment, Fiscal Year 2006-2007]
Mayor

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2007, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

Fiscal Impact.

(Charter Section 9.100 provides the Board shall not adopt the Budget eariler than July 15, 2006 nor later than August 1, 2006.)

Supervisor Sandoval requested to divide the question of the San Francisco Airport's Budget. (See File No. 061105 for Airport Budget)

Supervisor McGoldrick, seconded by Supervisor Daly, moved to amend by deleting $273,240 funding for SF Police surveillance cameras and place $273,240 on a general fund reserve.
Motion to amend by deleting the funding for SF Police surveillance cameras failed by the following vote:
Ayes: 2 - Daly, McGoldrick
Noes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval

Supervisor McGoldrick, seconded by Supervisor Ammiano, to amend Section 31 of the Administrative Provisions of the Annual Salary Ordinance "Controller reports of Board of Supervisors Program enhancements".
Motion to amend Section 31 of the Administrative Provisions failed by the following vote:
Ayes: 5 - Alioto-Pier, Ammiano, Elsbernd, McGoldrick, Peskin
Noes: 6 - Daly, Dufty, Ma, Maxwell, Mirkarimi, Sandoval

PASSED ON FIRST READING AS DIVIDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060729 [Government Funding, Fiscal Year 2006-2007]
Mayor

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2007.

Fiscal Impact.

(Charter Section 9.100 provides the Board shall not adopt the Budget eariler than July 15, 2006 nor later than August 1, 2006.)

Supervisor Sandoval requested to divide the question of the San Francisco Airport's Budget. (See File No. 061105 for Airport Budget)

Supervisor McGoldrick, seconded by Supervisor Daly, moved to amend by deleting $273,240 funding for SF Police surveillance cameras and place $273,240 on a general fund reserve.
Motion to amend by deleting the funding for SF Police surveillance cameras failed by the following vote:
Ayes: 2 - Daly, McGoldrick
Noes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval

Supervisor McGoldrick, seconded by Supervisor Ammiano, to amend Section 31 of the Administrative Provisions of the Annual Salary Ordinance "Controller reports of Board of Supervisors Program enhancements".
Motion to amend Section 31 of the Administrative Provisions failed by the following vote:
Ayes: 5 - Alioto-Pier, Ammiano, Elsbernd, McGoldrick, Peskin
Noes: 6 - Daly, Dufty, Ma, Maxwell, Mirkarimi, Sandoval

PASSED ON FIRST READING AS DIVIDED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Sandoval Excused From Voting

It was decided to to excuse Supervisor Sandoval to excuse Supervisor, at his request, because of possible conflict of interest, from voting.

061105 [San Francisco Airport Budget, FY 2006/07]

Consolidated Budget, Annual Salary and Annual Appropriation Ordinances appropriating all estimated receipts and all estimated expenditures for the San Francisco Airport for fiscal year ending June 30, 2007.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

060738 **[Treasure Island Development Authority Budget]**
Mayor

Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2006-2007.

Fiscal Impact.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060739 **[Redevelopment Agency Budget and Bonds]**
Mayor

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2006-2007; approving the Issuance by the Agency of Bonds in an aggregate principal amount not to exceed $146,850,000 for the purpose of financing a portion of Redevelopment activities as described in such approved Budget for fiscal year 2006-2007.

Fiscal Impact.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060697 **[Fee Adjustments for Planning Department Services]**
Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Sections 31.22 and 31.23 to adjust fees for Planning Department services; and making environmental findings.

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma

060699 **[Fee Adjustments for Planning Department Services]**
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making environmental findings.

Supervisor Ma moved to amend to reduce the discretionary review fee from "$300.00" to $200.00".
Motion failed for lack of second.

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma

060771 **[Recreation and Park Department – Fees at Harding Park and Fleming Golf Courses]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, Section 12.12, to increase the fees at Harding Park and Fleming Golf Courses.

(Supervisor Daly dissented in Commitee.)

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Daly, Ma

From the Budget and Finance Committee Without Recommendation

060768 **[Creation of Budget Savings Incentive Fund]**
Mayor

Ordinance amending the San Francisco Administrative Code by repealing Section 3.17 and by adding Section 10.20, to create a Budget Savings Incentive Fund to implement cost-saving strategies and to allow for the reinvestment of those savings in one-time expenditures.

Fiscal Impact.

Amended by adding "that the recommendations of the Budget & Finance Committee for the spending from the Budget Savings Incentive Fund be forwarded to the full Board of Supervisors in form of a resolution for approval prior to the expenditures from the fund."

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Budget and Finance Committee

060247 **[Minimum Wage Implementation and Enforcement]**
Supervisors Maxwell, Ammiano, Daly, Mirkarimi, McGoldrick

Ordinance expanding the powers and duties of the Office of Labor Standard Enforcement to implement and enforce the Minimum Wage Ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

060483 **[Zoning - Western SoMa Planning Area Special Use District]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by adding Section 823 and amending Sheets 1SU, 7SU, and 8SU of the Zoning Map of the City and County of San Francisco to establish the Western SoMa Planning Area Special Use District in the area generally bounded by Mission Street to the north, Townsend Street to the south, Division Street to the west and 4th Street to the east, and consisting of the blocks and lots specifically set forth; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

(Economic Impact)

FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

060482 **[Formula Retail Use; Public Notice - Western SoMa Planning Area SUD]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by adding Section 803.6 to designate formula retail as a conditional use in the Western SoMa Planning Area Special Use District and by adding Section 803.7 to require public noticing requirements for building permit applications in that Special Use District; adopting findings including environmental findings and findings of consistency with the General Plan and with the Priority Policies of Planning Code Section 101.1.

(Economic Impact)

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

060380 **[Requiring Board of Supervisors to adopt parental leave policies for members of boards and commissions, including authorization to teleconference when physically unable to attend due to pregnancy or childbirth]**
Supervisors Alioto-Pier, Dufty

Charter Amendment (Third Draft) to amend Sections 2.104 and 4.104 to require the Board of Supervisors to adopt parental leave policies for its members and for members of other boards and commissions, including, but not limited to, authorization to participate in meetings by teleconferencing when the member is physically unable to attend due to pregnancy or childbirth.

Supervisor Dufty requested to be added as a co-sponsor.
ORDERED SUBMITTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee Without Recommendation

060673 **[Charter Amendment - Requiring the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board]**
Supervisor Daly

Charter amendment (Third Draft) to amend Sections 2.103 and 3.100 to require the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal discussions with members of the Board and to authorize the Board to adopt rules and guidelines.

Continued to July 25, 2006

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060696 **[Charter Amendment - Setting the salary of the Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff]**
Supervisors Peskin, Alioto-Pier, Mirkarimi, Dufty

Charter amendment (Second Draft) to amend Section A8.409-1 to provide that the Civil Service Commission shall set the salary of the Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff every five years, with annual cost-of-living adjustments during the five-year salary cycle.

ORDERED SUBMITTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

060707 **[Charter Amendment - City Elections In Even-Numbered Years]**
Supervisors McGoldrick, Maxwell

Charter amendment (First Draft) to amend Section 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

Continued to July 25, 2006

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

060770 **[Recreation and Park Department – Stadium Rentals]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.42 to authorize the Recreation and Park Department to enter into short term license agreements for use of Kezar Stadium, Boxer Pavilion and the Stadium at Candlestick Point at rates comparable to those charged for similar bay area venues.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061045 **[Approving $450,000 for traffic calming projects and Alemany Boulevard pedestrian improvements in the Municipal Transportation Agency fiscal year 2006-2007]**

Ordinance appropriating $50,000 from the General Fund and $400,000 from the Parking and Traffic fund balance to support $200,000 for traffic calming projects and $250,000 for Alemany Boulevard pedestrian improvements for fiscal year 2006-2007.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060722 **[Contract approval – Fire Department Emergency Medical Services Billing and Collections]**

Resolution approving the award and execution of San Francisco Fire Department Contract Number 4117-05/06, Emergency Medical Services Billing & Collections, to American Medibanc, Incorporated. In addition to generating approximately $19 million per year in revenue, out of which the City will pay American Medibanc a percentage varying from 7.0% to 5.5%, contractor also will provide the Department a system for electronic patient data collection and reporting. The term of the contract is four years, with two renewal options of two years each. (Fire Department)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060843 **[Accept-Expend Regional Grant - Airport Commission]**

Resolution authorizing the Airport Commission to accept and expend three (3) grants totaling $414,340 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

051668 [Expand the Inclusionary Affordable Housing Program to include Buildings of 5 units or more]
Supervisor McGoldrick

Ordinance amending the Planning Code by amending Sections 315.2, 315.3 and 315.6 to expand the application of the Inclusionary Affordable Housing Program to buildings of five units and more.

(Economic Impact)

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060627 [Zoning Map Amendment for 1327 7th Avenue]

Ordinance amending the San Francisco Planning Code by amending Sectional Map 6 of the Zoning Map of the City and County of San Francisco to change the use classification of the property located at 1327 – 7th Avenue, and identified as Assessor's Block No. 1762, Lot No. 006, from a zoning designation of RH-2 (Residential House, Two Family) to NC-2, Inner Sunset Neighborhood Commercial District; and adopting General Plan, Planning Code Section 101.1(b), and environmental findings. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060481 [Zoning - Interim Moratorium on Formula Retail Uses in the Western South of Market Area]
Supervisor Daly

Urgency Ordinance approving an interim zoning moratorium on the establishment of formula retail uses in the Western South of Market in the area generally bounded by Mission Street to the north, Townsend Street to the south, Division Street to the west and 4th Street to the east, and consisting of the blocks and lots specifically set forth; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

CALLED FROM COMMITTEE

Board of Supervisors Sitting as a Committee of the Whole

061003 **[Hearing - Supporting Senate Bill 840 (Kuehl), The California Health Insurance Reliability Act of 2005]**
Supervisor Ma

Hearing to consider legislation contained in File 060805, supporting Senate Bill 840 (Kuehl), The California Health Insurance Reliability Act of 2005.

The President inquired as to whether or nor any member of the public wished to address the Board members.
Don Becker, Health Care for All; support of Senate Bill 840
Otto Duffy, support of Senate Bill 840
Nancy Kiler, Health Care for All; support of Senate Bill 840

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

Supervisor Dufty noted absent at 3:47 p.m.

060805 **[Supporting Senate Bill 840, The California Health Insurance Reliability Act of 2005.]**
Supervisor Ma

Resolution supporting Senate Bill 840 (Kuehl), The California Health Insurance Reliability Act of 2005.

ADOPTED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Absent: 1 - Dufty

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

051919 **[San Francisco Health Care Security Ordinance]**
Supervisors Ammiano, Daly, Mirkarimi, Dufty, Ma, McGoldrick, Maxwell, Peskin

Ordinance amending the San Francisco Administrative Code to add Chapter 14, Sections 14.1 through 14.8, to provide health care security for San Francisco residents by creating a public health access program for the uninsured, requiring employer paid health expenditures, identifying options for how an employer may make such expenditures, creating an advisory health access working group, and setting an operative date.

(Economic Impact)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the war in the Middle East
Momo Tang; expressed concern with the lack of women on the Board of Supervisors and the composition of the future Board of Supervisors
James Chaffee; expressed concern with issues relating to the SF Library
Ms. Lim; expressed concern with the Chinese transplants of Falon Gung practitioners
Walter; shared a commercial with the Board members
Martin; expressed gratitude for the support of the Universal Health Care and funding for transgender programs
Louis Dil; expressed concern with issues relating to the 3rd World politics in San Francisco; the Recreation and Park Commission and the horses being removed from Golden Gate Park
Janis Collins; expressed gratitude from the transgender Community for monies allotted to transgender programs
Cecilia Chung, expressed gratitude from the transgender Community for monies allotted to transgender programs
Robert Haaland; expressed gratitude from the transgender Community for monies allotted to transgender programs
Jerry Serfling; expressed concern with the Chinese transplants of Falon Gung practitioners
Eugeng Gordon, Jr. Expressed concern with issues relating to the violations of human rights
Maxine Duggan; expressed interest in changing the prostitution laws
Peter Warfield; expressed gratitude to the Board members for the funding to allow certain Library branches to be open on Sundays
Robert Pender; showed interest with issues relating to the Park Merced Apartments and the loss of a young tenant

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061013 [Supporting the Rights of Field Research Corporation Workers to Form a Union]
Supervisor Daly

Resolution supporting the rights of employees of Field Research Corporation in their attempt to form a union and urging Field Research Corporation to desist from its unethical and borderline illegal anti-union behavior.

ADOPTED

061014 [Resolution opposing Congressional attempts to eliminate Federal Security and Justice funding for sanctuary cities.]
Supervisors Sandoval, Ammiano, Daly, Mirkarimi, Peskin, McGoldrick

Resolution opposing Congressional attempts to eliminate Federal Security and Justice funding for sanctuary cities.

ADOPTED

061015 [Contract between the Department of Public Health and the San Francisco Community Health Authority to provide universal health insurance services for San Francisco children and young adults aged 0 through 24]
Supervisor Ammiano

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to contract between the City and County of San Francisco and the San Francisco Community Health Authority to provide universal health insurance for San Francisco children and young adults aged 0 through 24 and young parents aged 19 through 24 for the period of July 1, 2006 through June 30, 2007.

ADOPTED

061018 [Rebuilding San Francisco]
Supervisor McGoldrick

Resolution commending the Rebuilding San Francisco Committee for their important work in bringing art and labor history to the people of San Francisco.

ADOPTED

061019 [Urging the Recreation and Park Department to issue a request for proposals to renovate the Boathouse at Lake Merced]
Supervisors Elsbernd, Ammiano, Maxwell

Urging the Recreation and Park Department to issue a request for proposals to renovate the Boathouse at Lake Merced.

ADOPTED

061020 [Declaration of the June 6, 2006 Election Results]
Supervisor Peskin

Resolution declaring the results of the June 6, 2006 Consolidated Primary Election.

ADOPTED

061021 [Tom Sweeney Plaque]
Supervisors Peskin, Dufty

Resolution honoring the contributions of Tom Sweeney in celebration of his 30th anniversary of service and authorizing a plaque on the sidewalk in front of the landmark Sir Francis Drake Hotel.

Supervisors Dufty and Elsbernd requested to be added as co-sponsors.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference to Committee Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

061016 [Divesting from Sherwin-Williams]
Supervisors Mirkarimi, Sandoval, Daly, Maxwell

Urging San Francisco to divest from Sherwin-Williams Company because of their history of manufacturing and selling lead paint, which they knew to be poisonous.

REFERRED.

Supervisor Sandoval requested that this matter be severed so that it might be considered separately.

061017 [Urging Mexico's Federal Electoral Tribunal to Order a Ballot by Ballot Recount]
Supervisor Daly

Resolution urging the Mexican Federal Electoral Tribunal to order a ballot by ballot recount of votes in the presidential race.

REFERRED.

OFF-AGENDA LEGISLATION

Resolutions

061016 [Divesting from Sherwin-Williams]
Supervisors Mirkarimi, Sandoval, Daly, Maxwell

Urging San Francisco to divest from Sherwin-Williams Company because of their history of manufacturing and selling lead paint, which they knew to be poisonous.

7/11/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

7/18/06, REFERRED.

061017 **[Urging Mexico's Federal Electoral Tribunal to Order a Ballot by Ballot Recount]**
Supervisor Daly

Resolution urging the Mexican Federal Electoral Tribunal to order a ballot by ballot recount of votes in the presidential race.

7/11/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

7/18/06, REFERRED.

PROPOSED ORDINANCES

060973 **[Settlement of Lawsuit - Assessment Appeals Board]**

Ordinance authorizing settlement of administrative writ petition filed by the City and County of San Francisco challenging the Assessment Appeals Board's Property Tax Assessment for the Giants' baseball park at China Basin for the 2001/02, 2002/03 and 2003/04 tax years contingent upon approval of roll values by the Assessment Appeals Board and payment of an amount that reflects the reduced roll values, including interest; City filed its writ petition on January 19, 2006 in San Francisco Superior Court, entitled City and County of San Francisco v. Assessment Appeals Board No. 1, Case No. 506010. (City Attorney)

7/11/06, RECEIVED AND ASSIGNED to Rules Committee. (7/18/06 - Do not schedule this item per C. Adams.)

060974 **[Zoning Map Amendment for 3184 Market Street (aka 331 Corbett Avenue)]**

Ordinance amending Sheet 7 of the Zoning Map of the City and County of San Francisco for property located at 3184 Market Street (aka 331 Corbett Avenue), Assessor's Block 2659 Lot 059, to change the use district classification from P (Public Use) to RH-2 (Residential House, Two-Family); adopting findings pursuant to the California Environmental Quality Act and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

7/6/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. (SUPPORTING DOCUMENTS: Planning Commission Resolution 17259; Executive Summary; and Exemption from Environmental Review)

061037 **[Settlement of Lawsuit - Alameda County]**

Ordinance authorizing settlement of the lawsuit, County of Alameda, Alameda County Flood Control and Water Conservation District v. City and County of San Francisco, for declaratory and injunctive relief, and costs of suit including attorneys fees, filed on June 19, 2006 San Francisco County Superior Court, Case No. CPF-06-506443; material terms of said settlement are payments in the amount of $1.2 million to Alameda County Flood Control and Water Conservation District for projects in the Alameda Creek watershed. (City Attorney)

7/10/06, RECEIVED AND ASSIGNED to Rules Committee.

061045 **[Approving $450,000 for traffic calming projects and Alemany Boulevard pedestrian improvements in the Municipal Transportation Agency fiscal year 2006-2007]**

Ordinance appropriating $50,000 from the General Fund and $400,000 from the Parking and Traffic fund balance to support $200,000 for traffic calming projects and $250,000 for Alemany Boulevard pedestrian improvements for fiscal year 2006-2007.

7/18/06, PASSED ON FIRST READING.

PROPOSED RESOLUTIONS

061044 **[Approve a carry-forward of grant funds from the first year of the three-year grant and change grant-funded positions]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to approve a carry-forward of grant funds from the Center for Substance Abuse Treatment/Substance Abuse and Mental Health Services (CSAT/SAMHSA) in the amount of $167,257 in funds left over from the first grant year (September 30, 2004 to September 29, 2005) to the second grant year (September 30, 2005 to September 29, 2006) and changing grant-funded positions.

7/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:38 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

DOCUMENTS DEPT.

JUL 28 2006

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Tuesday, July 25, 2006 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll all Supervisors Dufty and Sandoval were noted absent.

Supervisor Sandoval was noted present at 2:07 p.m.
Supervisor Dufty was noted present at 2:08 p.m.

There was a quorum.

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

051919 **[San Francisco Health Care Security Ordinance]**
Supervisors Ammiano, Daly, Mirkarimi, Dufty, Ma, McGoldrick, Maxwell, Peskin

Ordinance amending the San Francisco Administrative Code to add Chapter 14, Sections 14.1 through 14.8, to provide health care security for San Francisco residents by creating a public health access program for the uninsured, requiring employer paid health expenditures, identifying options for how an employer may make such expenditures, creating an advisory health access working group, and setting an operative date.

(Economic Impact)

FINALLY PASSED

060770 **[Recreation and Park Department – Stadium Rentals]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.42 to authorize the Recreation and Park Department to enter into short term license agreements for use of Kezar Stadium, Boxer Pavilion and the Stadium at Candlestick Point at rates comparable to those charged for similar bay area venues.

FINALLY PASSED

061045 **[Approving $450,000 for traffic calming projects and Alemany Boulevard pedestrian improvements in the Municipal Transportation Agency fiscal year 2006-2007]**

Ordinance appropriating $50,000 from the General Fund and $400,000 from the Parking and Traffic fund balance to support $200,000 for traffic calming projects and $250,000 for Alemany Boulevard pedestrian improvements for fiscal year 2006-2007.

FINALLY PASSED

060841 **[Airport Concession Lease]**

Resolution approving Amendment No. 1 to the Luggage Cart Lease and Operating Agreement between Smarte Carte, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

ADOPTED

060946 **[Accept-Expend FEMA PDM Grant Funds - Public Utilities Commission]**
Mayor

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of $2,999,109 in FY 2005 Pre-Disaster Mitigation funds from the Federal Emergency Management Agency for the Hayward Fault Mitigation Project.

(Fiscal impact.)

ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

060838 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

PARKING METERS, 2-HOUR, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
PARKING METERS, 2-HOUR, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Bryant Street, west side, between 18th and Mariposa Streets (correction to operation times)

TOW-AWAY, NO PARKING - RESCIND
METERED MOTORCYCLE PARKING - ESTABLISH
Jessie Street, south side, from 4th Street to 54 feet westerly (approximately 14 metered motorcycle stalls)
(Parking and Traffic Department)

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3190.)

ADOPTED

060839 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Brussels and Dwight Streets, stopping Brussels Street, making this intersection an All-Way STOP;
Foerster Street at Los Palmos Drive, stopping Foerster Street, making this intersection an All-Way STOP; and,
Paulding Street at Arago Street, stopping Paulding Street, making this intersection an All-Way STOP. (Parking and Traffic Department)

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3190.)

ADOPTED

060840 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT EXCEPT MUNI AND BICYCLES - ESTABLISH
Market Street, eastbound, at 15th and Sanchez Streets. (Parking and Traffic Department)

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3190.)

ADOPTED

Recommendation of the Land Use Committee

060627 **[Zoning Map Amendment for 1327 7th Avenue]**

Ordinance amending the San Francisco Planning Code by amending Sectional Map 6 of the Zoning Map of the City and County of San Francisco to change the use classification of the property located at 1327 – 7th Avenue, and identified as Assessor's Block No. 1762, Lot No. 006, from a zoning designation of RH-2 (Residential House, Two Family) to NC-2, Inner Sunset Neighborhood Commercial District; and adopting General Plan, Planning Code Section 101.1(b), and environmental findings. (Planning Department)

FINALLY PASSED

Recommendations of the Rules Committee

060827 **[Settlement of Lawsuit - Nibbi Brothers, Inc]**

Ordinance authorizing settlement of the lawsuit filed by Nibbi Brothers, Inc., against the City and County of San Francisco for $300,000; the lawsuit was filed on January 17, 2006 in San Francisco Superior Court, Case No. CGC 06448631; entitled Nibbi Brothers, Inc., v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

060842 **[Settlement of Lawsuit - Alfonso Helena]**

Ordinance authorizing settlement of the lawsuit filed by Alfonso Helena against the City and County of San Francisco for $114,500; the lawsuit was filed on January 20, 2004 in United States District Court, Northern District of California, Case No. C04-0260; entitled Alfonso Helena, et al., v. City and County of San Francisco, et al.

PASSED, ON FIRST READING

061036 **[Appointment - Pedestrian Safety Advisory Committee]**

Resolution appointing Joy Oganeku and John Lowell, terms ending March 28, 2007, and Shirley Bierly, term ending March 28, 2008, to the Pedestrian Safety Advisory Committee.

Joy Oganeku,succeeding Jeanne Lynch, term expired, seat 4, must be a representative from senior or disability organizations, for the unexpired portion of a two-year term ending March 28, 2007.
John Lowell, succeeding Ancel Martinez, term expired, seat 8, must be a representative from child advocate or school support organization, for the unexpired portion of a two-year term ending March 28, 2007.
Shirley Bierly succeeding herself, term expired, seat 9, must be a representative from a public health organization, for a two-year term ending March 28, 2008.

ADOPTED

060997 **[Appointment - Urban Forestry Council]**

Resolution appointing Bonnie Ora Sherk, term ending April 5, 2007, to the Urban Forestry Council.

Bonnie Ora Sherk, succeeding Bonnie Fisher, resigned, seat 2, must be a representative of the tree management profession, for the unexpired portion of a two-year term ending April 5, 2007.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

060728 **[Public Employment, Fiscal Year 2006-2007]**
Mayor

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2007, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

Fiscal Impact.

(Charter Section 9.100 provides the Board shall not adopt the Budget eariler than July 15, 2006 nor later than August 1, 2006.)

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060729 **[Government Funding, Fiscal Year 2006-2007]**
Mayor

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2007.

Fiscal Impact.

(Charter Section 9.100 provides the Board shall not adopt the Budget eariler than July 15, 2006 nor later than August 1, 2006.)

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061105 **[San Francisco Airport Budget, FY 2006/07]**

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the Fiscal Year ending June 30, 2007, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor for the San Francisco Airport.

(Charter Section 9.100 provides the Board shall not adopt the Budget eariler than July 15, 2006 nor later than August 1, 2006.)

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

From the Budget and Finance Committee Without Recommendation

060768 **[Creation of Budget Savings Incentive Fund]**
Mayor

Ordinance amending the San Francisco Administrative Code by repealing Section 3.17 and by adding Section 10.20, to create a Budget Savings Incentive Fund to implement cost-saving strategies and to allow for the reinvestment of those savings in one-time expenditures.

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Land Use and Economic Development Committee

051668 **[Expand the Inclusionary Affordable Housing Program to include Buildings of 5 units or more]**
Supervisor McGoldrick

Ordinance amending the Planning Code by amending Sections 315.2, 315.3 and 315.6 to expand the application of the Inclusionary Affordable Housing Program to buildings of five units and more.

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee Without Recommendation

060673 **[Charter Amendment - Requiring the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board]**
Supervisor Daly

Charter amendment (Third Draft) to amend Sections 2.103 and 3.100 to require the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal discussions with members of the Board and to authorize the Board to adopt rules and guidelines.

Supervisor Daly, seconded by Supervisor Elsbernd, moved that this Charter Amendment be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060707 **[Charter Amendment - City Elections In Even-Numbered Years]**
Supervisors McGoldrick, Maxwell

Charter amendment (First Draft) to amend Section 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

NOT ORDERED SUBMITTED by the following vote:

Ayes: 5 - Alioto-Pier, Dufty, Ma, Maxwell, McGoldrick
Noes: 6 - Ammiano, Daly, Elsbernd, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

060798 **[Joint Exercise of Powers Agreement – California Municipal Finance Authority]**
Supervisor Mirkarimi

Resolution approving, authorizing and directing the execution of a joint exercise of powers agreement relating to the California Municipal Finance Authority.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060799 [Issuance and Sale of Revenue Bonds – Mercy Housing Projects]
Supervisor Mirkarimi

Resolution approving the issuance and sale of tax-exempt bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed $12,000,000 for the financing of the acquisition and rehabilitation of certain housing projects to be owned by a limited partnership or a limited liability company in which Mercy Housing California or an affiliate will serve as a general partner or member.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060825 [Finding of Fiscal Feasibility; Endorsement of Term Sheet; Exploratorium Project at Piers 15/17]
Resolution finding the proposed Exploratorium Project at Piers 15/17 fiscally feasible pursuant to Administrative Code Chapter 29 and endorsing the Term Sheet between The Exploratorium and the San Francisco Port Commission. (Port)

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

060826 [Prohibiting vehicle parking for commercial advertising purposes]
Supervisors McGoldrick, Dufty

Ordinance repealing San Francisco Police Code Section 681, adding San Francisco Traffic Code Section 63.3, and amending San Francisco Traffic Code Section 132 to impose a penalty of $100 for violation of Traffic Code Section 63.3. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060487 [Landmark Trees - Adoption of criteria and procedures for designation and removal]
Supervisor McGoldrick

Resolution adopting the Urban Forestry Council's recommended criteria and procedures for the designation and removal of landmark trees in furtherance of Ordinance No. 17-06 concerning the Urban Forestry Ordinance and authorizing other official acts pursuant to this Resolution.

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

060642 **[Traffic Regulation – Closure of Jack Kerouac Alley to vehicular traffic]**
Supervisor Peskin

Resolution closing Jack Kerouac Alley (formerly known as Adler Street) between Grant Avenue and Columbus Avenue to vehicular traffic; adopting findings, including environmental and findings of consistency with the City's General Plan and priority policies of Planning Code Section 101.1; accepting offers of quitclaim deeds for abutters' rights vehicular access to Jack Kerouac Alley; and authorizing official acts in connection with the street closure.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060900 **[Accept and Expend CalHome Funds]**
Supervisor Maxwell

Resolution authorizing the acceptance and execution of a standard agreement amendment for CalHome funds from the California Department of Housing and Community Development and any future amendments thereto; and any related documents necessary to participate in the CalHome Program; and authorizing MOH to expend CalHome funds to assist low-income, San Francisco homeowners.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

060345 **[Zoning – Jackson Square Special Use District]**
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 249.25 (Jackson Square Special Use District) to require that ground floor institutional use be subject to conditional use authorization and by amending Sectional Map 1SU of the Zoning Map of the City and County of San Francisco to include Lot 4, Block 195 (site of City Landmark No. 237) within the boundaries of the Jackson Square Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Supervisor Maxwell, seconded by Supervisor Ma, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051685 [Increasing the requirements of the Inclusionary Affordable Housing Program.]
Supervisors Daly, Maxwell

Ordinance amending Planning Code Sections 315.1, 315.2, 315.3, 315.4, and 315.5, 315.6, and 315.8 related to the Inclusionary Affordable Housing Program to increase the percentage of affordable housing required for all residential developments of 10 units or more; to adjust the way low and median income is calculated from a method using Metropolitan Statistical Area calculations to City and County of San Francisco calculations; to provide, with certain exceptions, that the amendments apply to any housing project that has not received a first site or building permit by the effective date of this legislation and applies to phased projects on separate but adjacent lots; to provide for mandatory lotteries to market new inclusionary units and the maintenance of a list generated from a lottery for units that become available; to require a project sponsor that elects an alternative to providing on-site inclusionary housing to make its election at the time of project approval; to allow project sponsors to use California Debt Limit Allocation Committee (CDLAC) tax-exempt bonds to finance inclusionary units under certain circumstances; to build all off-site inclusionary units within one mile of the principal project and to offer those units as rental housing or as ownership housing affordable to households earning no more than 80% of median income; requiring the Mayor's Office of Housing to adjust the in lieu fee annually and no later than July 1 and to report the adjustment to the Board of Supervisors; requiring the Mayor's Office of Housing to evaluate its monitoring procedures and those of the San Francisco Redevelopment Agency with the goal of establishing one monitoring system for all inclusionary units in the City and County of San Francisco; requiring the Planning Department to submit a completed impact study to the Board of Supervisors and Planning Commission no later than October 1, 2006; requesting that the Planning Department and Mayor's Office of Housing conduct certain additional studies described herein; and making findings including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(Economic Impact)

Supervisors Mirkarimi, Dufty and Peskin requested to be added as a co-sponsors.

Supervisor Daly, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

It was decided to to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests.

Supervisor Alioto-Pier introduced, welcomed and presented a Certificate of Honor to the members of the Minderman Family in recognition of work and dedication of Mr. Minderman whiled employed at Camp Mather.

SPECIAL ORDER 4:00 P.M.

060929 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 899 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 3, 2006 (Case No. 2006.0367E), exempting from environmental review under Categorical Exemption, State CEQA Guidelines Section 15332 and General Rule Exclusion, under CEQA Guidelines Section 15061(b)(3), the proposed project involving the subdivision of the 5,466 square foot lot at 899 North Point Street into three lots and construction of one two-unit residential building and two three-unit residential buildings, for a total of eight new residential units and 16,437 square feet of residential space. The site is currently vacant and was formerly occupied by an automobile service station. The project site is located on the southeast corner of North Point and Larkin Streets (Assessor's Block 0026 Lot 020) in the Russian Hill neighborhood. The site is located in an RH-3 (Three-Family Residential) zoning district, the Waterfront Special Use District No. 2, and a 40-X height and bulk district. The proposed project will require subdivision approval and a variance from lot size, rear yard, and gas station conversion requirements. (Appellants: Malana Moberg on behalf of Aquatic Park Neighbors and the Ghirardelli Square Neighbors.)

(Filed June 16, 2006. Companion measure to Files 060930, 060931, 060932; District 2.)

The President inquired as to whether or not any member of the public wished to address the Board members.
Planning Department Representative reviewed with Board members the Planning Department's recommendation.
James Reuben, Attorney for the project sponsor
The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

060930 **[Affirming the categorical exemption issued for 899 North Point Street]**

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

060931 **[Disapproving the categorical exemption issued for 899 North Point Street]**

Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

060932 **[Preparation of findings related to the 899 North Point Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 899 North Point Street project is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the Middles East War and President Bush
James Chaffee; expressed concern with issues relating to the SF Public Library
Walter; expressed in song the sights in San Francisco
Eugene Gordon, Jr.; expressed concern with issues relating to the violation of human rights
Joe O'Donoghue;expressed concern with issues relating to warehouse evictions
John Da Donna; expressed concern with issues relating to the Middle East War

Supervisors Alioto-Pier and Dufty were noted present at 3:40 p.m.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Defendant

Supervisor Sandoval was noted absent at 3:48 p.m.

060964 **[Closed Session - Potential Litigation - Telephone Users Tax]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding a recent ruling by the Internal Revenue Service (Notice 2006-50) that may result in litigation involving the City related to the Telephone Users Tax in San Francisco - Business and Tax Regulations Code Section 701, et seq. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation. (City Attorney)

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved to convene in Closed Session. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

CLOSED SESSION

The Board recessed at the hour of 3:48 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 4:01 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin - 10

Persons in attendance: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Cheryl Adams, Deputy City Attorney
Julie Van Nostern, Deputy City Attorney
Tom Long, Deputy City Attorney
Ed Harrington, Controller
Gloria L. Young, Clerk of the Board
Kay Gulbengay, Deputy Clerk

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

Supervisors Alioto-Pier and Dufty were noted absent at 3:35 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061080 [Supporting the efforts of Teamsters Local 278 in negotiating a collective bargaining agreement with Whole Foods of California Incorporated]
Supervisor Elsbernd

Resolution supporting the efforts of Teamsters Local 278 in negotiating a collective bargaining agreement with Whole Foods of California Incorporated.

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Dufty

061081 [Accept-Expend National Oceanic and Atmospheric Administration Grant]
Supervisor Ma

Resolution authorizing the Office of Emergency Services to accept and expend a Federal grant in the amount of $16,500 from the National Oceanic and Atmospheric Administration (NOAA) to begin participation in the "TsunamiReady" program.

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Dufty

061083 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice]
Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $37,500 from the van Loben Sels/RembeRock Foundation for the purpose of exploring potential alternatives to the California Youth Authority/Division of Juvenile Justice for San Francisco youth.

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Dufty

061084 [Apply for State Re-Use Assistance Grant - Department of the Environment]
Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to apply for annual grants from the California Integrated Waste Management Board for the purpose of conducting activities leading to an increase of the re-use of materials that might otherwise go into the landfill.

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Dufty

061087 [Supporting the resource efficient building conference and expo, West Coast Green]
Supervisor Mirkarimi

Resolution promoting the advancement of residential green building in San Francisco by supporting the conference and expo West Coast Green, September 28-30, 2006 at Bill Graham Civic Auditorium, and declaring the last week of September as "Green Building Week" in San Francisco.

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Dufty

061091 [Supporting Proposition 84 - The Clean Water, Parks and Coastal Protection Bond]
Supervisor Peskin

Resolution expressing support for California State Proposition 84, the Clean Water, Parks and Coastal Protection Bond.

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Dufty

Severed from the Without Reference to Committee Agenda

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

061079 [Designation of a Government Representative to the Board of Directors of Lenders for Community Development]
Supervisor Alioto-Pier

Resolution designating a Government Representative to the Board of Directors of Lenders for Community Development to act on behalf of the City and County of San Francisco in that capacity; and granting authority to City officials to designate replacement Government Representatives.

Continued to August 1, 2006

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Dufty

Supervisor Elsbernd requested that Files Nos. 061085, 061086, 061088 and 061089 be severed so that they might be considered separately.

061085 [Supporting Assembly Bill 2449 - Mandating statewide recycling of checkout bags at grocery stores]
Supervisor Mirkarimi

Resolution urging San Francisco's elected officials in Sacramento to support AB 2449, mandating statewide recycling of checkout bags at grocery stores, and oppose any language that would pre-empt the right of local jurisdictions to institute fees or other requirements to promote waste reduction.

Continued to August 1, 2006

Supervisor Elsbernd, seconded by Supervisor Ma, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Dufty

061086 **[Resisting the Federal Government's Intervention in a San Francisco Investigation]**
Supervisors Mirkarimi, Ammiano

Resolution resisting the federal government's intervention in the City and County of San Francisco's investigation of the July 8th, 2005 G-8 protest and expressing support for the California Shield Law.

Continued to August 1, 2006

Supervisor Elsbernd, seconded by Supervisor Sandoval, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Dufty

061088 **[Collecting Data on the Number of Ellis Act Evictions Enforced by the Sheriff]**
Supervisors Mirkarimi, Ammiano

Resolution urging the San Francisco Sheriff's Department to collect data on the number of Ellis Act evictions it enforces by adding a checkbox on its eviction instruction form to disclose that the eviction is an Ellis Act eviction.

Continued to August 1, 2006

Supervisor Elsbernd, seconded by Supervisor Ma, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Dufty

061089 **[Enforcement of and Assistance with Ellis Act Evictions]**
Supervisors Mirkarimi, Ammiano

Resolution urging the San Francisco Sheriff to not enforce Ellis Act evictions and the Rent Board to not assist landlords with evicting tenants under the Ellis Act, and commending the San Francisco Sheriffs Department for establishing the only sheriff-led Eviction Assistance program in the State of California.

Continued to August 1, 2006

Supervisor Elsbernd, seconded by Supervisor Ma, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Dufty

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately.

061090 **[Pruning Standards for Public Trees in the City and County of San Francisco]**
Supervisor Peskin

Resolution adopting the Pruning Standards for Trees in the City and County of San Francisco that apply to all those working on public trees, including City and County of San Francisco employees, private contractors, property owners, and residents.

REFERRED.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

061030 **[Regulating Street Artists - Compensation of Advisory Committee]**

Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2402 to allow members of the Advisory Committee of Street Artists and Craftmen Examiners to be reimbursed for their reasonable travel expenses traveling to and from Committee meetings, Street Artist screenings, and other Advisory Committee activities. (Arts Commission)

7/11/06, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 8/24/2006.

061032 **[Mission Bay North Commons at Park P17 Improvements]**

Ordinance designating a portion of State Trust Parcel adjacent to Park P17 for public right-of-way purposes; approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way Terry A. Francois Boulevard; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public use and accepting for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 176,148 and authorizing official acts in connection with this Ordinance.

7/13/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

061033 **[Mission Bay - Parks NP1 & NP2 Improvements]**

Ordinance designating a portion of State Trust Parcel 1 lying next to Channel for public open space and park purposes; naming the new park "Mission Creek Park"; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 176,149 and authorizing official acts in connection with this Ordinance. (Public Works Department)

7/13/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

061028 **[Unpaid DPH Delinquent Refuse Service payment liens to become special assessments to the property taxes]**

Resolution confirming report of delinquent charges for refuse collection service and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon. (Public Health Department)

7/7/06, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 8, 2006, at 3:00 p.m.

061029 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Charles J. Brenham Street, west side, between Market and McAllister Streets.

(7/13/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3215.)

7/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061031 **[Approval of the Substance Abuse and Crime Prevention Act of 2000-Implementation Plan]**

Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2006-2007. (Public Health Department)

7/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:11 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

Tuesday, August 1, 2006 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

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AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, Supervisor Sandoval was noted absent.

Supervisor Sandoval was excused from attendance. (See Infra)

There was a quorum.

Supervisor Sandoval Excused from Attendance

Supervisor Dufty, seconded by Supervisor Maxwell, moved to excuse Supervisor from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

COMMUNICATIONS

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

060826 [Prohibiting vehicle parking for commercial advertising purposes]
Supervisors McGoldrick, Dufty

Ordinance repealing San Francisco Police Code Section 681, adding San Francisco Traffic Code Section 63.3, and amending San Francisco Traffic Code Section 132 to impose a penalty of $100 for violation of Traffic Code Section 63.3. (Parking and Traffic Department)

FINALLY PASSED

Recommendations of the Rules Committee

060827 [Settlement of Lawsuit - Nibbi Brothers, Inc]

Ordinance authorizing settlement of the lawsuit filed by Nibbi Brothers, Inc., against the City and County of San Francisco for $300,000; the lawsuit was filed on January 17, 2006 in San Francisco Superior Court, Case No. CGC 06448631; entitled Nibbi Brothers, Inc., v. City and County of San Francisco. (City Attorney)

FINALLY PASSED

060842 [Settlement of Lawsuit - Alfonso Helena]

Ordinance authorizing settlement of the lawsuit filed by Alfonso Helena against the City and County of San Francisco for $114,500; the lawsuit was filed on January 20, 2004 in United States District Court, Northern District of California, Case No. C04-0260; entitled Alfonso Helena, et al., v. City and County of San Francisco, et al.

FINALLY PASSED

061037 [Settlement of Lawsuit - Alameda County]

Ordinance authorizing settlement of the lawsuit, County of Alameda, Alameda County Flood Control and Water Conservation District v. City and County of San Francisco, for declaratory and injunctive relief, and costs of suit including attorneys fees, filed on June 19, 2006 San Francisco County Superior Court, Case No. CPF-06-506443; material terms of said settlement are payments in the amount of $1.2 million to Alameda County Flood Control and Water Conservation District for projects in the Alameda Creek watershed. (City Attorney)

PASSED, ON FIRST READING

060990 [Appointment - Golden Gate Bridge, Highway and Transportation District]

Resolution appointing Richard Grosboll, term ending January 31, 2007, to the Board of Directors, Golden Gate Bridge, Highway and Transportation District.

Richard Grosboll, succeeding Leah Shahum, resigned, seat 3, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for the unexpired portion of a two-year term ending January 31, 2007.

ADOPTED

061062 [Appointment - Lead Hazard Reduction Citizens Advisory Committee]

Resolution appointing James Ruigomez, term ending December 22, 2009, to the Lead Hazard Reduction Citizens Advisory Committee; residency requirement waived.

James Ruigomez, succeeding Theodore Strong, term expired, seat 4, must represent the building trades, for the unexpired portion of a four-year term ending December 22, 2009.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

061117 **[Adopting findings related to affirming the categorical exemption issued for 899 North Point Street]**
Motion adopting findings related to affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.

APPROVED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Recommendations of the Land Use and Economic Development Committee

060345 **[Zoning Jackson Square Special Use District]**
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 249.25 (Jackson Square Special Use District) to require that ground floor institutional use be subject to conditional use authorization and by amending Sectional Map 1SU of the Zoning Map of the City and County of San Francisco to include Lot 4, Block 195 (site of City Landmark No. 237) within the boundaries of the Jackson Square Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

051685 **[Increasing the requirements of the Inclusionary Affordable Housing Program.]**
Supervisors Daly, Maxwell, Mirkarimi, Dufty, Peskin

Ordinance amending Planning Code Sections 315.1, 315.2, 315.3, 315.4, and 315.5, 315.6, and 315.8 related to the Inclusionary Affordable Housing Program to increase the percentage of affordable housing required for all residential developments of 10 units or more; to adjust the way low and median income is calculated from a method using Metropolitan Statistical Area calculations to City and County of San Francisco calculations; to provide, with certain exceptions, that the amendments apply to any housing project that has not received a first site or building permit by the effective date of this legislation and applies to phased projects on separate but adjacent lots; to provide for mandatory lotteries to market new inclusionary units and the maintenance of a list generated from a lottery for units that become available; to require a project sponsor that elects an alternative to providing on-site inclusionary housing to make its election at the time of project approval; to allow project sponsors to use California Debt Limit Allocation Committee (CDLAC) tax-exempt bonds to finance inclusionary units under certain circumstances; to build all off-site inclusionary units within one mile of the principal project and to offer those units as rental housing or as ownership housing affordable to households earning no more than 80% of median income; requiring the Mayor's Office of Housing to adjust the in lieu fee annually and no later than July 1 and to report the adjustment to the Board of Supervisors; requiring the Mayor's Office of Housing to evaluate its monitoring procedures and those of the San Francisco Redevelopment Agency with the goal of establishing one monitoring system for all inclusionary units in the City and County of San Francisco; requiring the Planning Department to submit a completed impact study to the Board of Supervisors and Planning Commission no later than October 1, 2006; requesting that the Planning Department and Mayor's Office of Housing conduct certain additional studies described herein; and making findings including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(Economic Impact)

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

NEW BUSINESS

Recommendation of the Budget and Finance Committee

Supervisor Daly was noted absent at 2:35 p.m.

060853 **[Restricting Posting of Signs on City-Owned Lamp Posts or Utility Poles]**
Supervisor Peskin

Ordinance amending Article 5.6 of the San Francisco Public Works Code to increase restrictions governing signs on City-owned lamp posts and utility posts located on commercial streets.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Daly
Excused: 1 - Sandoval

Recommendations of the Government Audit and Oversight Committee

061011 **[Assessment Ballots for City Parcels - Fillmore Jazz Community Benefit Districts]**

Resolution authorizing the Mayor to cast assessment ballots in the affirmative on behalf of the City and County of San Francisco as the owner of parcels of real property that would be subject to assessment in the proposed property and business improvement district to be named the Fillmore Jazz District Community Benefit District.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

060947 **[Amendment to Budget Analyst Professional Services Agreement]**
Supervisor Peskin

Motion amending the agreement for Professional Budget Analyst Services between the City and County of San Francisco and Stanton W. Jones and Associates; Debra A. Newman; Rodriguez, Perez, Delgado & Company Certified Public Accountants; Harvey M. Rose Accountancy Corporation Certified Public Accountants; and Louie & Wong LLP Certified Public Accountants ("A Joint Venture") to amend the composition of the Joint Venture, replacing the Harvey M. Rose Accountancy Corporation with Harvey M. Rose Associates, LLC.

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Recommendations of the Land Use and Economic Development Committee

060265 **[Residential and Industrial Compatibility and Protection]**
Supervisor Maxwell

Ordinance amending the Administrative Code to add Chapter 35 to provide that certain industrial uses shall not be considered a nuisance due to changed circumstances on adjacent property, with certain exceptions; to require notice regarding adjacent industrial uses to be provided prior to the transfer of real property for residential uses; to provide for civil penalties; to provide for a private right of action; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

060926 **[Landmark Designation of the Doggie Diner sign, located in the median strip of Sloat Boulevard and 45th Avenue]**
Supervisor Elsbernd

Ordinance Designating the Doggie Diner sign, located in the median strip of Sloat Boulevard and 45th Avenue, as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Recommendations of the Rules Committee

061061 **[Appointment - Entertainment Commission]**

Motion appointing Terrance Alan, term ending July 1, 2010, to the Entertainment Commission.

1 seat being considered
Terrance Alan, succeeding himself, term expired, seat 2, shall represent the interests of entertainment associations or groups, for a four-year term ending July 1, 2010.

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

061048 **[Appointments, Taxi Commission]**

Motion approving the Mayor's appointments of Tom Oneto and Malcolm Heinicke, terms ending March 2, 2007, and Min Paek, term ending March 2, 2008, to the Taxi Commission. (Clerk of the Board)

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor Elsbernd, moved. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - McGoldrick
Excused: 1 - Sandoval

Supervisor Dufty welcomed, introduced and presented a Certificate of Honor to members of the Department of Human Resources staff.

SPECIAL ORDER 4:00 P.M.

Supervisor McGoldrick was noted present at 3:53 p.m.

060980 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 229 32nd Avenue, Katherine Delmar Burke School (aka 7070 California Street)]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 31, 2005 (Case No. 2005.0275E), exempting from environmental review under Categorical Exemption Class 14, [State Guidelines Section 15314] and Class 32, [State Guidelines, Section 15332 (a) through (e)], the Katherine Delmar Burke School Addition, located at 229-32nd Avenue (aka 7070 California), Block 1392, Lot 037. The proposed project entails construction of a two-story, 26.5-foot tall arts and science building containing six classrooms, and removal of a paved tennis court presently occupying the site. The new 9,569 sq.ft. infill academic building would add 16 percent capacity in the 3.32-acre campus' existing 60,407 sq.ft. of built space. The project site, within the Katherine Delmar Burke School Campus, is set back from El Camino del Mar to the north and also bounded by Lincoln Park to the west and 32nd Avenue to the east. Located in the Sea Cliff neighborhood, the project site is within the RH-1 (D) Residential, House, One-Family (Detached Dwellings) District and a 40-X Height and Bulk District. The Project would require Conditional Use authorization for modification to an existing Planned Unit Development (PUD) and authorization for expansion of an educational use. (Appellant: James Argo, President, Lincoln Park Neighborhood Association, Inc.)

(Filed June 20, 2006; companion measure to Files 060981, 060982, 060983, District 1.)

The President inquired as to whether or not any member of the public wished to address the Board.
There were none.
The President closed the public hearing.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

060981 **[Affirming the categorical exemption issued for the 229 32nd Avenue (aka 7070 California Street) project]**

Motion affirming the determination by the Planning Department that the 229 32nd Avenue (aka 7070 California Street) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

060982 **[Disapproving the categorical exemption issued for the 229 32nd Avenue (aka 7070 California Street) project]**

Motion disapproving the determination by the Planning Department that the 229 32nd Avenue (aka 7070 California Street) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

060983 **[Preparation of findings related to the 229 32nd Avenue (aka 7070 California Street) project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 229 32nd Avenue (aka 7070 California Street) project is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

SPECIAL ORDER 4:00 P.M.

Supervisor Alioto-Pier Excused From Voting

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved to excuse Supervisor Alioto-Pier, at her request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

060966 **[Public Hearing - Appeal of Final Environmental Impact Report for Wharf J-10 Project]**

Hearing of persons interested in or objecting to the Planning Commission's June 22, 2006, certification of a Final Environmental Impact Report identified as Planning File No. 2001.0636E, through its Motion No. 17274, for a proposed Wharf J-10 demolition and improvements at 2936 Hyde Street in the Fisherman's Wharf area of San Francisco's Northeastern Waterfront. (Appellant: David P. Cincotta, on behalf of F. Alioto Fish Co.)

(Filed July 6, 2006; companion measure to Files 060967, 060968, 060969, District 2.)

The President inquired as to whether or not any member of the public wished to address the Board.
David Cincotta, Attorney for the appellant
President, Telegraph Hill Association, support of appellant
Young male speaker; support of appellant
Nan Roth; Telegraph Hill Association; support of appellant
President North Beach Association; support of appellant
Jerry Adams; support of appellant
Francisco di Costa; support of appellant

Nannie Turrell, and Paul Maltzer, Planning Department's representative reviewed with the Board the Planning Department's recommendation.

Monique Moyer, Executive Director, Port and members of the Port Staff reviewed with the Board the Port's project.
Male Speaker; support of project sponsor
Paul Cappurro; support of project sponsor
Ernestine Weissl support of project sponsor
Rebuttal Period
David Cincotta, Attorney for appellant

The President closed the public hearing.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

060967 **[Affirming certification of Wharf J-10 FEIR]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Wharf J-10 Project.

Continued to August 8, 2006 at 4:30 p.m.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

060968 **[Disapproving certification of Wharf J-10 FEIR]**

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Wharf J-10 Project.

Continued to August 8, 2006 at 4:30 p.m.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

060969 **[Preparation of findings to disapprove certification of Wharf J-10 FEIR]**

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Wharf J-10 FEIR.

Continued to August 8, 2006 at 4:30 p.m.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

COMMITTEE REPORTS

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with the war in the Middle East
Male speaker; expressed concern with issues relating to Golden Gate Park and not allowing the boarding of horses in Golden Gate Park
Ernestine Weiss; expressed concern with the issues allowing a plaque in recognition of Tom Sweeny
Richard McCree; expressed concern with issues relating to his patent for the design of Sigmond Stern Grove
Walter; sang to the Board
Eugene Gordon; expressed concern with issues relating to the violation of human rights conditions
Alex Reyes; expressed concern with issues at the Human Rights Commission and the violation of the non-discrimination code
Ileana Hernandez; expressed concern with issues at the Human Rights Commission and the violation of the non-discrimination
Gary Delagnes, SFPOA; expressed concern with issues related to Item 30
legislation resisting the Federal Government's intervention in a San Francisco investigation in G-8 Protest, protest and expressing support for the Ca. Shield Law
John Di Donna; expressed concern with the bombing in Lebanon
Liz Wolf-Spader; expressed support for Item 30 legislation resisting the Federal Government's intervention in a San Francisco investigation in G-8 protest, protest and expressing support for the Ca. Shield Law
Ms. Johnson; expressed concern with general issues
Steven Worsley; showed interest in the Coit Tower gift shop
Richard Knee; showed support for Item 30 legislation resisting the Federal Government's intervention in a San Francisco investigation in G-8 protest, protest and expressing support for the Ca. Shield Law
Catie Hawkins Ocorrie; expressed concern with SF Police presence at an event
at South Park
Leon Walker, Sr.; expressed concern with SF Police presence at an event
at South Park
John DaCosta; expressed concern with issues relating to public comment
and issues with types of equipment are in place in case of a disaster
Peter Warfield, expressed issues relating with RFID and concerns with the SF Library not being open on Sundays and more hours on Mondays
Carlos Villareal; showed support for Item 30 legislation resisting the Federal Government's intervention in a San Francisco investigation in G-8 protest, protest and expressing support for the Ca. Shield Law

Supervisor Daly was noted present at 3:19 p.m.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

060939 **[Closed Session - Existing Litigation - SF Bicycle Plan Policy]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following lawsuit entitled Coalition for Adequate Review, Ninety-nine Percent and Rob Anderson v. City and County of San Francisco, San Francisco Superior Court Case No. 505-509, Filed on July 28, 2005, involving a challenge to the City's June 7, 2005 adoption of the 2005 San Francisco Bike Plan Policy Framework. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session because discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuit. (City Attorney)

CLOSED SESSION

The Board recessed at the hour of 3:39 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 4:09 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin - 9

Persons in attendance: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Supervisor McGoldrick was noted present at 3:53 p.m.
Supervisor Sandoval was previously excused from today's attendance.

Cheryl Adams, Deputy City Attorney
Audrey Pearson, Deputy City Attorney
Gloria L. Young, Clerk of the Board
Kay Gulbengay, Deputy Clerk

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Supervisor McGoldrick was noted absent at 3:26 p.m

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061119 **[Authority to Expend State Funding-CalHome Grant of $750,000]**
Supervisor Elsbernd

Resolution authorizing the Mayor of the City and County of San Francisco to expend $750,000 in grants from the California Department of Housing and Community Development under the CalHome Mortgage Assistance Program as authorized by and pursuant to Chapter 6 of Part 2 of Division 31 of the Health and Safety Code, commencing with Section 50650 and implementing regulations to assist low income first time homebuyers with deferred loans to purchase single family residences in the City.

ADOPTED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - McGoldrick
Excused: 1 - Sandoval

061121 **[Single Room Occupancy (SRO) Task Force]**
Supervisor Ammiano

Resolution amending the Single Room Occupancy (SRO) Health, Stabilization and Safety Task Force to rename it the Single Room Occupancy (SRO) Task Force, to redefine its mission and duties, to dissolve the current SRO Task Force and to restructure it as the SRO Task Force to reflect the conditions faced in 2006 by SRO tenants, operators and owners, reducing its membership to thirteen: eight appointed by the Board of Supervisors; four appointed by designated Department Heads; and one chair appointed by the Director of Health.

ADOPTED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - McGoldrick
Excused: 1 - Sandoval

Severed From Without Reference to Committee Agenda

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

061079 **[Designation of a Government Representative to the Board of Directors of Lenders for Community Development]**
Supervisor Alioto-Pier

Resolution designating a Government Representative to the Board of Directors of Lenders for Community Development to act on behalf of the City and County of San Francisco in that capacity; and granting authority to City officials to designate replacement Government Representatives.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - McGoldrick
Excused: 1 - Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - McGoldrick
Excused: 1 - Sandoval

Supervisor Mirkarimi requested that following File Nos. 061086, 061088, and 061089 be severed so that they might could be considered separately.

061086 **[Resisting the Federal Government's Intervention in a San Francisco Investigation]**
Supervisors Mirkarimi, Ammiano

Resolution resisting the federal government's intervention in the City and County of San Francisco's investigation of the July 8th, 2005 G-8 protest and expressing support for the California Shield Law.

REFERRED.

061088 **[Collecting Data on the Number of Ellis Act Evictions Enforced by the Sheriff]**
Supervisors Mirkarimi, Ammiano

Resolution urging the San Francisco Sheriff's Department to collect data on the number of Ellis Act evictions it enforces by adding a checkbox on its eviction instruction form to disclose that the eviction is an Ellis Act eviction.

REFERRED.

061089 **[Enforcement of and Assistance with Ellis Act Evictions]**
Supervisors Mirkarimi, Ammiano

Resolution urging the San Francisco Sheriff to not enforce Ellis Act evictions and the Rent Board to not assist landlords with evicting tenants under the Ellis Act, and commending the San Francisco Sheriffs Department for establishing the only sheriff-led Eviction Assistance program in the State of California.

REFERRED.

Supervisor Elsbernd requested that the following File Nos. 061085 and 061118 be severed so that they might be considered separately.

061085 **[Supporting Assembly Bill 2449 - Mandating statewide recycling of checkout bags at grocery stores]**
Supervisor Mirkarimi

Resolution urging San Francisco's elected officials in Sacramento to support AB 2449, mandating statewide recycling of checkout bags at grocery stores, and oppose any language that would pre-empt the right of local jurisdictions to institute fees or other requirements to promote waste reduction.

ADOPTED by the following vote:

Ayes: 6 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Absent: 1 - McGoldrick
Excused: 1 - Sandoval

061118 **[Authorizing preparation of Proponent/Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 7, 2006 Election]**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for Charter Amendments and other Measures approved by the Board of Supervisors for submittal to the voters at the November 7, 2006 Election.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - McGoldrick
Excused: 1 - Sandoval

APPROVED AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - McGoldrick
Excused: 1 - Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - McGoldrick
Excused: 1 - Sandoval

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - McGoldrick
Excused: 1 - Sandoval

061136 [Opposing Federal Legislation]
Supervisors Peskin, Maxwell, Ammiano, Mirkarimi

Resolution declaring opposition to House Resolution 5970, federal legislation that would lower the minimum wage for workers who earn tips.

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - McGoldrick
Excused: 1 - Sandoval

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

061032 [Mission Bay North Commons at Park P17 Improvements]

Ordinance designating a portion of State Trust Parcel adjacent to Park P17 for public right-of-way purposes; approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way Terry A. Francois Boulevard; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public use and accepting for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 176,148 and authorizing official acts in connection with this Ordinance.

7/13/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

061033 [Mission Bay - Parks NP1 & NP2 Improvements]

Ordinance designating a portion of State Trust Parcel 1 lying next to Channel for public open space and park purposes; naming the new park "Mission Creek Park"; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 176,149 and authorizing official acts in connection with this Ordinance. (Public Works Department)

7/13/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

061035 [Approval of the HIV Prevention Projects Grant application]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to submit an interim progress report (IPR) in order to continue to receive funding for the HIV Prevention Projects grant from the Centers of Disease Control and Prevention (CDC). This amount of this annual recurring grant for the next grant year (January 1, 2007 to December 31, 2007) is expected to be approximately $9 million. The due date of the IPR is September 15, 2006. (Public Health Department)

7/19/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061067 **[Extension of Agreement with PRWT Services, Inc.]**

Resolution authorizing a two-year extension of the agreement between PRWT Services, Inc. and the City and County of San Francisco. (Municipal Transportation Agency)

7/20/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061093 **[Unpaid Department of Public Health complaint reinspection fee liens to become special assessments to the property taxes]**

Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Public Health Department)

7/19/06, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 8, 2006, at 3:00 p.m.

061095 **[Special Assessment of Liens for Assessment Costs]**

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., 103.3.3 Section 108, Section 110 – Tables 1-K and 1-G, and Sections 3407.7.1.3, 3407.7.1.4, 3407.7.1.5, and 3407.7.1.6 et seq., of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above. (Building Inspection Department)

7/20/06, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 8, 2006, at 3:00 p.m.

061103 **[Recurring FY 2006-2007 State grant funds to the Department of Public Health from the California Department of Health Services]**

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health (SFDPH) for FY 2006-2007. (Public Health Department)

7/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061104 **[Approval of the Ryan White Comprehensive AIDS Resources Emergency Act grant application]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to submit an application to the Health Resources Services Administration (HRSA) in order to continue to receive funding for the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act grant (Care Title I). The amount of this annual recurring grant for the next grant year (March 1, 2007 to February 28, 2008) is expected to be approximately $28 million. The projected due date of the application is September 28, 2006. (Public Health Department)

7/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:05 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689*

VOTES

MEETING MINUTES - DRAFT

DOCUMENTS DEPT.
AUG 11 2006
SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, August 8, 2006 2:00 PM

**Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689**

Regular Meeting

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*AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL*

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:19 p.m. On the call of the roll all Supervisor Ma was noted absent.

Supervisor Ma was noted present at 2:56 p.m.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to approve July 18, 2006 and July 25, 2006 Meeting Minutes.. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ma

COMMUNICATIONS

President Peskin expressed deepest sympathy for the loss of Board Member of Supervisor Sue Bierman.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

060853 [Restricting Posting of Signs on City-Owned Lamp Posts or Utility Poles]
Supervisor Peskin

Ordinance amending Article 5.6 of the San Francisco Public Works Code to increase restrictions governing signs on City-owned lamp posts and utility posts located on commercial streets.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

060265 [Residential and Industrial Compatibility and Protection]
Supervisor Maxwell

Ordinance amending the Administrative Code to add Chapter 35 to provide that certain industrial uses shall not be considered a nuisance due to changed circumstances on adjacent property, with certain exceptions; to require notice regarding adjacent industrial uses to be provided prior to the transfer of real property for residential uses; to provide for civil penalties; to provide for a private right of action; and making environmental findings.

FINALLY PASSED

060926 [Landmark Designation of the Doggie Diner sign, located in the median strip of Sloat Boulevard and 45th Avenue]
Supervisor Elsbernd

Ordinance Designating the Doggie Diner sign, located in the median strip of Sloat Boulevard and 45th Avenue, as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

FINALLY PASSED

Recommendations of the Rules Committee

061037 [Settlement of Lawsuit - Alameda County]

Ordinance authorizing settlement of the lawsuit, County of Alameda, Alameda County Flood Control and Water Conservation District v. City and County of San Francisco, for declaratory and injunctive relief, and costs of suit including attorneys fees, filed on June 19, 2006 San Francisco County Superior Court, Case No. CPF-06-506443; material terms of said settlement are payments in the amount of $1.2 million to Alameda County Flood Control and Water Conservation District for projects in the Alameda Creek watershed. (City Attorney)

FINALLY PASSED

061000 [Appointment - Immigrant Rights Commission]

Resolution appointing Vera Haile, Gilberto Alexander and Ivy Lee, terms ending June 6, 2008, and Toye Moses, term ending June 6, 2007, to the Immigrant Rights Commission.

Vera Haile, succeeding herself, term expired, seat 1, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2008.
Gilberto Alexander, succeeding himself, term expired, seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2008.
Ivy Lee, succeeding herself, term expired, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2008.
Toye Moses, succeeding Zina Spektor, resigned, seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ma

REGULAR AGENDA

NEW BUSINESS

Recommendation of the Land Use and Economic Development Committee

060032 **[Allowing certain medical cannabis dispensaries in Residential-House or Residential-Mixed districts to remain open during the 18-month application period and other amendments]**
Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 790.141, and 890.133 to allow certain medical cannabis dispensaries in Residential-House or Residential-Mixed districts to remain open during the 18-month grace period provided for obtaining a permit, to define "community facility" and "recreation building" as those that primarily serve persons under 18 years of age, and to provide certain notice to both owners and occupants within 300 feet of a proposed medical cannabis dispensary; amending the San Francisco Health Code by amending Sections 3303, 3304, 3305, 3306, 3307 and 3312 to amend the permitting process for medical cannabis dispensaries to conform to the California Fire Code, to eliminate the need for an employment background check, to provide for a provisional permit to be issued after a hearing but before construction work is performed, to provide for referral of permit applications to the Department of Building Inspection, and to require employees to wash hands and use sanitary utensils when handling cannabis; and making environmental findings and findings of consistency with the priority planning policies of Planning Code Section 101.1 and the General Plan.

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ma

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Absent: 1 - Ma

Recommendations of the Rules Committee

061082 [Declaration of Policy Regarding 2016 Olympics for Submittal to Voters]
Supervisors Sandoval, Daly, Mirkarimi

Motion asking the voters whether it shall be San Francisco's policy to host the 2016 Olympics given the costs and benefits.

(Supervisor Elsbernd dissenting in Committee.)

Supervisor Sandoval, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ma

061023 [Reappointment, Entertainment Commission - Bruce G. Lorin]
Mayor

Motion approving the Mayor's nomination for reappointment of Bruce G. Lorin to the Entertainment Commission, for the term ending June 2, 2010. (Mayor)

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ma

Supervisor McGoldrick was noted absent at 2:47 p.m.

061025 [Reappointment, Board of Appeals - Michael Garcia]

Motion approving the Mayor's reappointment of Michael Garcia to the Board of Appeals for the term ending July 2, 2010. (Mayor)

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Ma, McGoldrick

SPECIAL ORDER 3:00 P.M.

061027 [Public Hearing - DPH Delinquent Refuse Service Payment Liens (Garbage Liens)]

Hearing of persons interested in or objecting to report of delinquent charges for refuse collection service and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board members.
Scott Nakamura, Department of Public Health, made a report to the Board and provided a list certain properties to be deleted from the Delinquent Refuse Service Payment Liens Report.
There were none.
The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

061028 **[Unpaid DPH Delinquent Refuse Service payment liens to become special assessments to the property taxes]**

Resolution confirming report of delinquent charges for refuse collection service and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Public Health Department)

Report was amended by deleting certain properties from the Delinquent Refuse Service Payment Liens.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061092 **[Public Hearing - DPH Reinspection Fee Liens]**

Hearing of persons interested in or objecting to report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board members.
Scott Nakamura, Department of Public Health, made a report to the Board.
There were none.
The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

061093 **[Unpaid Department of Public Health complaint reinspection fee liens to become special assessments to the property taxes]**

Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Public Health Department)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061094 **[Public Hearing - DBI Special Assessment of Liens for Code Enforcement Cases]**

Hearing of persons interested in or objecting to report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., Section 108, Section 110 - Tables 1-K, and 1-G, and Sections 3407.7.1.3, 3407.7.1.4, 3407.7.1.5, and 3407.7.1.6 et seq., of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board members.
Robert Noelke, Department of Building Inspection and Rosemary Bacci, Chief Building Inspector made a report to the Board and provided a list of deletions to be made to the Special Assessments of Liens for Code Enforcement Cases a report.
Speakers:
Owner of property located at 750 Sutter Street
Tony Perez representing owners of 1200- 1222 Church Street deleted

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

061095 **[Special Assessment of Liens for Assessment Costs]**

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., 103.3.3 Section 108, Section 110 – Tables 1-K and 1-G, and Sections 3407.7.1.3, 3407.7.1.4, 3407.7.1.5, and 3407.7.1.6 et seq., of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above. (Building Inspection Department)

Report was amended by deleting certain properties from the SpeciaL Assessments of Liens for Code Enforcement Case Report and the report was further amended by deleting the property located at 1220-1222 Church Street from the report.

Supervisor Ma was noted present at 3:59 p.m.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M

061046 **[Public Hearing - Appeal of Minor Sidewalk Encroachment for 1230 Mason Street]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 29, 2006, dissapproving a request for a Minor Sidewalk Enchroachment Permit to construct a warped-driveway and two (2) planter boxes to encroach 3'6" encroachment into the existing sidewalk at property located at 1230 Mason Street. (Appellant: Yehudah Younessian)

(Filed July 11, 2006; companion measur to Files 06061047, 061057; District 3.)

The President inquired as to whether or not any member of the public wished to address the Board members.
John Quan, Representative of the Department of Public Works made a report.
Property owner of 1230 Mason Street
The President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be adopted.)

061047 **[Minor Sidewalk Encroachment Permit - 1230 Mason Street]**
Motion affirming the decision of the Department of Public Works denial of a Minor Sidewalk Encroachment Permit to construct a warped-driveway and two (2) planter boxes to encroach 3'6" encroachment into the existing sidewalk at property located at 1230 Mason Street. (Clerk of the Board)

Supervisor Daly was noted absent at 4:17 p.m.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Absent: 1 - Daly

061057 **[Disapproving a Minor Sidewalk Encroachment Permit - 1230 Mason Street]**
Motion disapproving the decision of the Department of Public Works denial of a Minor Sidewalk Encroachment Permit to construct a warped-driveway and two (2) planter boxes to encroach 3'6" encroachment into the existing sidewalk at property located at 1230 Mason Street. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Absent: 1 - Daly

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the floor

Supervisor Sandoval, seconded by Supervisor Ma, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Sandoval introduced, welcomed and presented a Certificate of Honor to the Members of the American El Salvadoran Chamber of Commerce.

Supervisor Ma introduced, welcomed and presented a Certificate of Honor to members of the Bay Area Dragon Boat Youth Team in recognition of the participation in the International Dragon Boat Youth Team competition.

SPECIAL ORDER 4:00 P.M.

Supervisor Daly was noted present at 4:18 p.m.

060984 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 70 Douglass Street]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated September 27, 2005 (Case No. 2005.0616E), exempting from environmental review under Categorical Exemption, Class 1 and Class 3 [State Guidelines, Section 15301(1)(1) and 15303(b)], the proposal would demolish an existing four-bedroom (BR) single-family dwelling of 2,196 square feet (sq ft) constructed pre-1900, and construct a new two-unit residential building of 7,351 gross sq ft. The site, on the western side of Douglass Street, located approximately mid-block (Assessor's Block 2625, Lot 007A), is an irregular shaped parcel of 3,693 sq ft within the city block bounded by Douglass Street to the east, Ord Street to the west, and 17th Street to the south (Douglass Street dead ends at the northerly end of the block). The project site, located in the Upper Market neighborhood, is zoned RH-2 (Residential, House-Two Family) and is within a 40-X height and bulk district. (Appellants: Susan Detwiler on behalf of the owners of 62-68 Douglass Street.)

(Filed June 27, 2006; companion measure to Files 060985, 060986, 060987, District 8.)

The President inquired as to whether or not any member of the public wished to address the Board members.
Continued to August 15, 2006

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

060985 **[Affirming the categorical exemption issued for the 70 Douglass Street project]**

Motion affirming the determination by the Planning Department that the project at 70 Douglass Street is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to August 15, 2006

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060986 **[Disapproving the categorical exemption issued for 70 Douglass Street]**

Motion disapproving the determination by the Planning Department that the 70 Douglass Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to August 15, 2006

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060987 **[Preparation of findings related to the 70 Douglass Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 70 Douglass Street is exempt from environmental review under the California Environmental Quality Act.

Continued to August 15, 2006

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:30 P.M.

From the Board

060967 **[Affirming certification of Wharf J-10 FEIR]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Wharf J-10 Project.

Continued to August 15, 2006

Supervisor Alioto-Pier was previously excused from voting on this matter.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060968 **[Disapproving certification of Wharf J-10 FEIR]**

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Wharf J-10 Project.

Continued to August 15, 2006
Supervisor Alioto-Pier was previously excused from voting on this matter.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060969 **[Preparation of findings to disapprove certification of Wharf J-10 FEIR]**

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Wharf J-10 FEIR.

Continued to August 15, 2006
Supervisor Alioto-Pier was previously excused from voting on this matter.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

COMMITTEE REPORTS

061142 **[Adding Section 702 to the Business and Tax Regulations Code and amending Sections 703 and 714 of the San Francisco Business and Tax Regulations Code]**
Supervisors Mirkarimi, Daly

Ordinance amending Article 10, Utility Users Tax, by adding Section 702 to the Business and Tax Regulations Code; amending Section 703 of the San Francisco Business and Tax Regulations Code making technical clarifications to the Utility Users Tax on telephone services to address change in interpretation of referenced federal law; and amending Section 714 of the San Francisco Business and Tax Regulations Code to conform with Article 6, Common Administrative Provisions.

Supervisor Daly requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd
Absent: 2 - Ma, McGoldrick

Supervisor McGoldrick was noted present at 2:50 p.m.

061110 [General Obligation Refunding Bonds]
Mayor, Supervisor Daly

Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the issuance of City and County of San Francisco general obligation refunding bonds and authorizing preparation, execution and delivery of final a official statement; acknowledging the receipt of certain information relating to such refunding bonds; ratifying the approvals and terms and conditions of a previous resolution; and related matters.

Supervisor Daly requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ma

ROLL CALL FOR INTRODUCTIONS

Supervisor Ma was noted present at 2:56 p.m.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed sympathy for the loss of former Supervisor Sue Bierman and expressed concern with the war in Iraq
Male speaker; expressed sympathy for the loss of former Supervisor Sue Bierman
James Chaffee; expressed sympathy for the loss of former Supervisor Sue Bierman and expressed concern with issues relating to the SF Public Library
Male speaker; expressed concern with Supervisors being absent during public comment and issues with the horse stables being closed in Golden Gate Park
Maria Martinez; expressed issues with relating to the deletion of a Hispanic speaking employee from the Human Rights Commission
Maggie Cardomy; expressed issues with relating to the deletion of a Hispanic speaking employee from the Human Rights Commission
Walter; shared memorabilia with the Board members
Ms. Hernandez; expressed issues with relating to the deletion of a Hispanic speaking employee from the Human Rights Commission
Ms. Castenada; expressed issues with relating to the deletion of a Hispanic speaking employee from the Human Rights Commission
Alex Reyes;expressed issues with relating to the deletion of a Hispanic speaking employee from the Human Rights Commission
Sylvia Johnson; expressed concern with issues relating to HIV
Ronald McDonald; showed appreciation for the Youth Works Program
Leo Tang; showed appreciation for the Youth Works Program
Male speaker; showed appreciation for Supervisor Dufty and expressed issues relating to housing
John Di Donna; expressed sympathy for the loss of former Supervisor Sue Bierman
Lucifer Cheschire; showed interest in the medical marijuana clubs
Male speaker; showed interest for recognizing the Latino community
Francisco Da Costa; expressed concern with issues relating to crime and violence in San Francisco

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

061140 [Legislative Analyst Request - Police Department]
Supervisor Elsbernd

Motion requesting the Legislative Analyst to research the disciplinary process of police departments in other jurisdictions. The report should focus on comparing the disciplinary authority of San Francisco's Police Chief, the role of the Office of Citizen Complaints (OCC), and the role of the Police Commission with comparable jurisdictions within California.

APPROVED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061120 [Supporting Proposition 1C, Housing and Emergency Shelter Trust Fund Act of 2006]
Supervisors Peskin, Daly

Resolution expressing support for California State Proposition 1C, Housing and Emergency Shelter Trust Fund Act of 2006.

Supervisor Daly requested to be added as a co-sponsor.
ADOPTED

061150 [Commending El Cucuy and the Votos por America campaign]
Supervisor Mirkarimi

Commending DJ Renan Almendarez Coello, known as El Cucuy, and the Votos por America campaign who are working to register one million new voters.

ADOPTED

061151 [Issuance and Sale of Revenue Bonds - Lycee Francaise La Perouse]
Supervisor Ma

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $15,000,000 for the financing of the acquisition, construction, improvement and equipping of facilities of Lycee Francaise La Perouse and certain other matters relating thereto.

ADOPTED

061131 [Final Map - 2011 26th Street]
Motion approving Final Map 2302, a 6 Unit Live Work Condominium Project, located at 2011 26th Street being a subdivision of Lot 19 in Assessors Block No. 4327A and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,224; District 10.)

APPROVED

061132 **[Final Map - 2031 26th Street]**

Motion approving Final Map 2300, a 6 Unit Live/Work Condominium Project, located at 2031 26th Street being a subdivision of Lot 17 in Assessors Block No. 4327A and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,223; District 10.)

APPROVED

061133 **[Final Map - 2041 26th Street]**

Motion approving Final Map 2299, a 8 Unit Live\Work Condominium Project, located at 2041 26th Street being a subdivision of Lot 16 in Assessors Block No. 4327A and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,222; District 10.)

APPROVED

061134 **[Final Map for Candlestick Point The Cove]**

Motion approving Final Map 3110, Candlestick Point The Cove, a one hundred seventy six residential condominium project, being a merger and resubdivision of Block 4991, lots 418 and lots OS-3 thru OS-5; and a merger and resubdivision of Block 4991, lots 239 and OS-6, acknowledging a public improvement agreement and easements related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,994; District 10)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

061126 **[Settlement of Lawsuit - Gustavo A. Cubillo]**

Ordinance authorizing settlement of the lawsuit filed by Gustavo A. Cubillo against the City and County of San Francisco for $50,000; the lawsuit was filed on May 17, 2004 in San Francisco Superior Court, Case No. 431-445; entitled Gustavo A. Cubillo, et al. v. City and County of San Francisco, et al. (City Attorney)

7/26/06, RECEIVED AND ASSIGNED to Rules Committee.

061127 **[Settlement of Lawsuit - CCSF v. Gregory P. O'Keeffe and Lydia Collins]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Gregory P. O'Keeffe and Lydia Collins, in the probate matter of The Estate of Dorothy Frances Boyesen, for $40,000.00; the lawsuit was filed on August 20, 2004 in the San Francisco Superior Court, Case No. PES-04-285738; entitled The Estate of Dorothy Frances Boyesen; City and County of San Francisco v. Gregory P. O'Keeffe and Lydia Collins. (City Attorney)

7/31/06, RECEIVED AND ASSIGNED to Rules Committee.

061128 **[Updating speed limit provisions on King Street and on the Embarcadero]**

Ordinance amending Section 175.20 of the Traffic Code, governing the speed limit on a portion of The Embarcadero, to reflect that the Embarcadero terminates at King Street, and amending Section 176.39 of the Traffic Code to extend the speed limit change on King Street from 5th Street to The Embarcadero. (Municipal Transportation Agency)

7/28/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED RESOLUTIONS

061129 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Rhode Island Street, both sides, between 25th and 26th Streets (1400).

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Marina Boulevard, north side, from Laguna Street to 20 feet westerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Irving Street, north side, from 9th Avenue to 24 feet easterly (removes one parking meter space).

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Eddy Street, both sides, between Franklin Street and Van Ness Avenue (800 block)

1-HOUR PARKING LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
2-HOUR PARKING LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Eddy Street, both sides, between Franklin and Gough Streets (900 block)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Sickles Avenue, south side, from Alemany Boulevard to 120 feet westerly.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Bryant Street, both sides, between 20th and 21st Streets (2200 block). (Parking and Traffic Department)

(6/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3222.)

7/28/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061130 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations at various streets.

NO TURN ON RED - ESTABLISH
Jordan Avenue, northbound, at California Street and southbound Cherry Street at California Street.

RIGHT LANE MUST TURN RIGHT - RESCIND
Pine Street, westbound, at Kearny Street.

NO LEFT TURN - ESTABLISH
San Bruno Avenue, southbound, the intersection of Arleta Avenue and Bayshore Boulevard.

NO LEFT TURN - ESTABLISH
San Bruno Avenue, northbound, at Silliman Street

BICYCLE LANES - ESTABLISH
Mississippi Street, both sides, between Mariposa and 16th Streets. (Parking and Traffic Department)

(6/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3222.)
7/28/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:50 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

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Tuesday, August 15, 2006 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll all Supervisors Alioto-Pier, Dufty and McGoldrick were noted absent.

Supervisor Dufty was noted present at 2:07 p.m.
Supervisor McGoldrick was noted present at 2:08 p.m.

Supervisor Alioto-Pier was excused from attending today's meeting.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to approve the July 25, 2006 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Alioto-Pier

Spupervisor Alioto-Pier Excused from Attendance

Supervisor Ammiano, seconded by Supervisor Maxwell, moved to excuse Supervisor Alioto-Pier from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Alioto-Pier

AGENDA CHANGES

Supervisor Ma requested that File No 060589 (Item 31) be considered out of order.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

060965 **[Accept-Expend U.S. Department of Homeland Security/UC Lawrence Livermore National Laboratory Grant]**

Resolution authorizing the Airport to accept and expend a grant in the amount of $10,000,000.00 from the U.S. Department of Homeland Security, administered by UC Lawrence Livermore National Laboratory for an Air Cargo Explosive Detection System Pilot Program. (Airport Commission)

ADOPTED

060963 **[Muni Thirty-foot Hybrid-Electric Bus Procurement]**

Resolution approving the award of a sole source contract (Procurement of Thirty-foot Low Floor Hybrid-Electric Diesel Coaches) between the City and County of San Francisco and Orion Bus Industries, in an amount not to exceed $17,132,780.

ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

060935 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
France Avenue at Madrid Street, making this intersection an All-Way STOP; and,
Paris Street at France Street, making this intersection an All-Way STOP. (Parking and Traffic Department)

(6/20/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3202.)

ADOPTED

060934 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "G" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Geary Boulevard, north side, between Baker and Lyon Streets (2400 block).

TWO-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
DeHaro Street, both sides, between 15th and 17th Streets.

TOW-AWAY, NO STOPPING, 3 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Sutter Street, north side, between Sansome and Montgomery Streets; and,
Sutter Street, both sides, between Montgomery and Kearny Streets

TOW AWAY, NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - RESCIND
3rd Street, east side, between King and Brannan Streets.

TOW AWAY, NO STOPPING, 3:00 PM - 6:30 PM, MONDAY THROUGH FRIDAY - RESCIND
TOW AWAY, NO STOPPING 3 PM - 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Davis Street, west side, between Sacramento and California Streets.

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
South Van Ness Avenue, west side, from 13th Street to 19th Street

NO PARKING ANYTIME - ESTABLISH
Marin Street, north side, between 3rd and Illinois Streets. (Parking and Traffic Department)

(6/20/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3202.)

ADOPTED

060936 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN, 4 PM TO 6 PM, EXCEPT SUNDAY - RESCIND
South Van Ness Avenue, northbound and southbound, at 16th Street

NO LEFT TURN, 7 AM TO 9 AM, 4 PM TO 6 PM, EXCEPT SUNDAY - RESCIND
South Van Ness Avenue, northbound and southbound, at 18th Street. (Parking and Traffic Department)

(6/20/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3202.)

ADOPTED

061012 **[Accept-Expend Blue Shield of California Foundation Grant]**
Supervisors Ma, Dufty

Resolution authorizing the Department on the Status of Women (DOSW) to accept and expend a grant in the amount of $200,000 from the Blue Shield of California Foundation for the design and implementation of a Domestic Violence Training Institute.

ADOPTED

061031 **[Approval of the Substance Abuse and Crime Prevention Act of 2000-Implementation Plan]**
Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2006-2007. (Public Health Department)

ADOPTED

061044 **[Approve a carry-forward of grant funds from the first year of the three-year grant and change grant-funded positions]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to approve a carry-forward of grant funds from the Center for Substance Abuse Treatment/Substance Abuse and Mental Health Services (CSAT/SAMHSA) in the amount of $167,257 in funds left over from the first grant year (September 30, 2004 to September 29, 2005) to the second grant year (September 30, 2005 to September 29, 2006) and changing grant-funded positions.

ADOPTED

Recommendations of the Rules Committee

060996 **[Appointment - Bay Area Library and Information System Advisory Board]**
Resolution appointing Nora Dowley, term ending June 30, 2008, to the Bay Area Library and Information System Advisory Board.

Nora Dowley, succeeding herself, term expired, seat 1, must represent public at large and underserved residents, for a two-year term ending June 30, 2008.

ADOPTED

061144 **[Appointment - Assessment Appeals Board No. 1]**

Resolution appointing Alec Lambie, Lawrence Lee, Hayes Miles and David Wilbur, terms ending September 4, 2009, to the Assessment Appeals Board #1.

Alec Lambie, succeeding himself, term expiring September 4, 2006, seat 2, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: a person shall not be eligible for nomination for membership on an assessment appeals board unless he or she has a minimum of five years' professional experience in this state as one of the following: certified public accountant or public accountant, licensed real estate broker, attorney, or property appraiser accredited by a nationally recognized professional organization; for a three year term ending September 4, 2009.
Lawrence Lee, succeeding Gordon Huseby, term expiring September 4, 2006, seat 5, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: a person shall not be eligible for nomination for membership on an assessment appeals board unless he or she has a minimum of five years' professional experience in this state as one of the following: certified public accountant or public accountant, licensed real estate broker, attorney, or property appraiser accredited by a nationally recognized professional organization; for a three year term ending September 4, 2009.
Hayes Miles, succeeding himself, term expiring September 4, 2006, seat 6, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. ALTERNATE/HEARING OFFICER for a three year term ending September 4, 2009.
David Wilbur, succeeding himself, term expiring September 4, 2006, seat 8, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. ALTERNATE/HEARING OFFICER for a three year term ending September 4, 2009.

ADOPTED

061145 **[Appointment - Assessment Appeals Board No. 2]**

Resolution appointing Louisa Mendoza, John McGary, Donna Crowder and Arthur Tom III, terms ending September 4, 2009, to the Assessment Appeals Board #2.

Louisa Mendoza, succeeding Adrienne Lacau, term expiring September 4, 2006, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code for a three- year term ending September 4, 2009.
John McGary, succeeding himself, term expiring September 4, 2006, seat 5, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code for a three-year term ending September 4, 2009.
Donna Crowder, succeeding herself, term expiring September 4, 2006, seat 6, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code; ALTERNATE/HEARING OFFICER for a three year term ending September 4, 2009.
Arthur Tom III, succeeding Calvin Abe, term expiring September 4, 2006, seat 7, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code; ALTERNATE/HEARING OFFICER for a three year term ending September 4, 2009.

ADOPTED

061146 **[Appointment - Western SoMa Citizens' Planning Task Force]**

Resolution appointing Robert Rhine, term ending November 23, 2007, to the Western SoMa Citizens' Planning Task Force.

Robert Rhine, succeeding Nicholas Rosenberg, seat 2, must be a resident of western SoMa for less than three years, for the unexpired portion of a three-year term ending November 23, 2007.

ADOPTED

061147 **[Appointment - Lead Hazard Reduction Citizens Advisory Committee]**

Resolution appointing Myrna Melgar, term ending December 31, 2006, to the Lead Hazard Reduction Citizens Advisory Committee.

Myrna Melgar, succeeding Joe LaTorre, resigned, seat 6, must be a representative involved in housing and community development issues from the Mayor's office, for the unexpired portion of a term ending December 31, 2006.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

061153 **[Adopting findings related to affirming the categorical exemption issued for the Burke School project at 229 32nd Avenue]**

Motion adopting findings related to affirming the determination by the Planning Department that the project at 229 32nd Avenue (aka 7070 California Street) is categorically exempt from environmental review under the California Environmental Quality Act.

Amended to replace "July 25, 2006" with "August 1, 2006."

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendation of the Budget and Finance Committee

061142 **[Adding Section 702 to the Business and Tax Regulations Code and amending Sections 703 and 714 of the San Francisco Business and Tax Regulations Code]**

Supervisors Mirkarimi, Daly

Ordinance amending Article 10, Utility Users Tax, by adding Section 702 to the Business and Tax Regulations Code; amending Section 703 of the San Francisco Business and Tax Regulations Code making technical clarifications to the Utility Users Tax on telephone services to address change in interpretation of referenced federal law; and amending Section 714 of the San Francisco Business and Tax Regulations Code to conform with Article 6, Common Administrative Provisions.

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

From the Government Audit and Oversight Committee Without Recommendation

060860 **[Resolution of Intention to form the Central Market Community Benefit District]**
Mayor

Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Central Market Community Benefit District" and levy a multi-year assessment on identified parcels in the district, (2) approving the management district plan and engineer's report for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing as required by law.

(Economic Impact)

Amended to replace the public hearing date from October 17, 2006 to October 31, 2006.
Continued as amended to September 12, 2006

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendation of the Land Use and Economic Development Committee

060032 **[Allowing certain medical cannabis dispensaries in Residential-House or Residential-Mixed districts to remain open during the 18-month application period and other amendments]**
Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 790.141, and 890.133 to allow certain medical cannabis dispensaries in Residential-House or Residential-Mixed districts to remain open during the 18-month grace period provided for obtaining a permit, to define "community facility" and "recreation building" as those that primarily serve persons under 18 years of age, and to provide certain notice to both owners and occupants within 300 feet of a proposed medical cannabis dispensary; amending the San Francisco Health Code by amending Sections 3303, 3304, 3305, 3306, 3307 and 3312 to amend the permitting process for medical cannabis dispensaries to conform to the California Fire Code, to eliminate the need for an employment background check, to provide for a provisional permit to be issued after a hearing but before construction work is performed, to provide for referral of permit applications to the Department of Building Inspection, and to require employees to wash hands and use sanitary utensils when handling cannabis; and making environmental findings and findings of consistency with the priority planning policies of Planning Code Section 101.1 and the General Plan.

FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

NEW BUSINESS

Recommendations of the Budget and Finance Committee

060991 **[Planning Code - Fee Adjustments]**
Ordinance amending the San Francisco Planning Code by amending Section 350 and 352 of Article 3.5 to adopt fees for Planning Department services related to appeals to the Board of Supervisors and provide for annual adjustments of said fees; and making environmental findings.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060852 **[Requiring that the acceptance and expenditure of any grant that would result in the creation of new City positions be approved by an ordinance that includes an appropriate amendment to the annual salary ordinance]**
Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Section 10.170-1, to require that the acceptance and expenditure of any grant that would result in the creation of new City positions be approved by an ordinance that includes an appropriate amendment to the annual salary ordinance.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061070 **[Revenue Contract with Pacific Gas and Electric for Energy Conservation Programs]**
Mayor, Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to enter into a contract for up to $10,709,302 with Pacific Gas and Electric Company ("PG&E") to implement an Energy Use and Demand Reduction Through Energy Efficiency Program in the City and County of San Francisco.

(Fiscal impact.)

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061009 **[Multifamily Housing Revenue Bonds - Alabama Street Senior Apartments]**
Supervisor Daly

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed $5,000,000 for the purpose of providing financing for a multifamily rental housing project to be known as Alabama Street Senior Apartments; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to city officials to take actions necessary to implement this resolution; and related matters.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061010 **[Multifamily Housing Revenue Bonds – Alabama Street Family Apartments]**
Supervisor Daly

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed $25,828,221 for the purpose of providing financing for a multifamily rental housing project to be known as Alabama Street Family Apartments; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to city officials to take actions necessary to implement this resolution; and related matters.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060945 **[Authorizing the exercise of an option to purchase the property located at One South Van Ness Avenue, San Francisco and execution, delivery and performance of the purchase and sale agreement]**
Supervisors Peskin, Daly, Mirkarimi, Dufty, Elsbernd

Resolution authorizing the exercise of an option to purchase (the "Purchase Option"), between the City and County of San Francisco (the "City"), as buyer, and the One South Associates, LLC. (the "Seller"), as seller (including certain indemnities contained therein), for the purchase of real property and improvements thereon consisting of an eight-story office building located at One South Van Ness Avenue, San Francisco (collectively, the "Property"); authorizing the execution, delivery and performance of a purchase and sale agreement for the Property; authorizing the assumption of certain leases and contracts per the terms of the purchase and sale agreement; adopting findings under the California Environmental Quality Act and findings pursuant to the City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith.

(Fiscal impact.)

Supervisor Elsbernd requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061072 **[TEFRA Approval - Alabama Street Family Apartments]**
Supervisor Daly

Resolution approving, for the purposes of the Internal Revenue Code, the issuance and sale of revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed $25,828,221 for a multifamily rental housing project to be known as Alabama Street Family Apartments.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061073 **[TEFRA Approval - Alabama Street Senior Apartments]**
Supervisor Daly

Resolution approving, for the purposes of the Internal Revenue Code, the issuance and sale of revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed $5,000,000 for a multifamily rental housing project to be known as Alabama Street Senior Apartments.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendations of the City Operations and Neighborhood Services Committee

061141 **[Sole source procurement of interior furniture/workstations and movable partitions for the San Francisco Main Library Renovation]**

Supervisor Ma

Ordinance waiving the competitive requirements of San Francisco Administrative Code section 21.1, and authorizing the Purchaser to negotiate and issue a purchase order for interior furniture/workstations and movable partitions for the San Francisco Main Library from One Workplace, a Steelcase distributor, as a sole source.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060845 **[Extending existing restrictions on parking commercial vehicles in specified use districts to include vehicles with a gross combination weight rating in excess of 10,000 lbs.]**

Supervisor McGoldrick

Ordinance amending the San Francisco Traffic Code by amending Sections 63 and 63(A) to extend the restrictions on parking certain commercial vehicles in specified use districts to include vehicles with a gross combination weight rating in excess of 10,000 lbs. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060796 **[Grant of Federal Funds - Municipal Transportation Agency]**

Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency, through its Director of Transportation (or his designee), to accept and expend $22,570,000 in STIP funds from the State of California, or if transferred to the Federal Transit Administration, as part of FY 2007/2008 federal section 5307 or section 5309 fixed guideway funds, for construction of the Muni Metro East Maintenance and Operations Facility, excluding administrative overhead costs.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060844 **[Gift of Vacant Real Property - Kite Hill]**

Supervisor Dufty

Resolution accepting a gift of vacant real property adjacent to Kite Hill at 19th and Yukon Streets (Lot 023, Block 2701A) and placing such real property under the jurisdiction of the Recreation and Park Department; adopting findings pursuant to the California Environmental Quality Act; adopting findings that acceptance of this gift of real property is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to accept the Grant Deed and take certain actions in furtherance of this resolution.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061035 [Approval of the HIV Prevention Projects Grant application]
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to submit an interim progress report (IPR) in order to continue to receive funding for the HIV Prevention Projects grant from the Centers of Disease Control and Prevention (CDC). This amount of this annual recurring grant for the next grant year (January 1, 2007 to December 31, 2007) is expected to be approximately $9 million. The due date of the IPR is September 15, 2006. (Public Health Department)

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

From the City Operations and Neighborhood Services Committee Without Recommendation

060589 [Liquor License Transfer, 845 Market Street, Space 010]

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Continued to September 12, 2006

Supervisor Daly, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendations of the Land Use and Economic Development Committee

060533 [Chinatown Visitor Retail Zoning District: Other Entertainment]
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 811.47b of the Retail Sales and Services section of Table 811 to allow other entertainment as a principal use on the first and second stories in the Chinatown Visitor Retail Zoning District and by adding Section 811.47b to the Specific Provisions for Chinatown Visitor Retail District of Table 811 noting that the other entertainment use must be in conjunction with an existing full-service restaurant; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060701 **[Adopting disability access standards for the Sunday closure of JFK Drive]**
Supervisor McGoldrick

Ordinance amending the Park Code by adding Section 6.12 to adopt disability access standards and authorized vehicular traffic use for the Sunday closure of John F. Kennedy Drive and related roads in Golden Gate Park and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060905 **[Issuance and Sale of Revenue Bonds - All Hallows Apartments]**

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $23,000,000 for the financing of the acquisition and rehabilitation of All Hallows Apartments.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060906 **[Issuance and Sale of Revenue Bonds - Bayview Apartments]**
Supervisor Maxwell

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $21,000,000 for the financing of the acquisition and rehabilitation of the Bayview Apartments.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060907 **[Issuance and Sale of Revenue Bonds - La Salle Apartments]**
Supervisor Maxwell

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $20,000,000 for the financing of the acquisition and rehabilitation of the La Salle Apartments.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060908 **[Issuance and Sale of Revenue Bonds - Shoreview Apartments]**

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $21,000,000 for the financing of the acquisition and rehabilitation of the Shoreview Apartments.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendations of the Select Committee on Ending Gun and Gang Violence

060795 [Boundaries of Police Department District Stations]
Supervisor Mirkarimi

Ordinance adopting Section 2A.90 of the San Francisco Administrative Code to require that the boundaries of Police Department district stations be reviewed at least every ten years, to set factors for consideration, and to establish a process for adjusting station boundaries.

Continued to September 19, 2006

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060700 [Police Foot Patrols]
Supervisor Mirkarimi

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern and Park Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

Continued to September 19, 2006

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:00 P.M.

061148 **[Hearing - Fillmore Jazz District Community Benefit District]**

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Fillmore Jazz District Community Benefit District (CBD)," ordering the levy and collection of a multi-year assessment on identified parcels in the district, and making environmental findings. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Speakers in support to Jazz District Community Benefit District:
Male speaker
Ace Washington; spoke neither in opposition or support of the matter
Daniel Landry; spoke neither in opposition or support of the matter

Speakers Opposed to Jazz District Community Benefit District:
There were none.

The President requested the Clerk of the Board to contact the Department of Elections and ask if the processing of the submitted ballots had been completed.

The Clerk of the Board informed the President that the Department of Elections had finished processing the ballots submitted.
The President declared the Public Hearing closed.
Tabulation of the ballots cast began by the Department of Elections.
HEARD AT PUBLIC HEARING.

061149 **[Resolution to establish the Fillmore Jazz District Community Benefit District]**
Supervisor Mirkarimi

Resolution establishing a property-based business improvement district to be known as the "Fillmore Jazz District Community Benefit District," ordering the levy and collection of assessments against identified parcels of real property located in that district for five years, commencing with fiscal year 2006-2007, and making environmental findings.

(Economic Impact)

The Clerk of the Board announced the tabulations of the Fillmore Jazz District Community Benefit Distrtict:
Voting For 88.37%
Voting Against 11.63%

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Alioto-Pier

Supervisor McGoldrick was noted absent at 4:10 p.m.

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor Daly, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisor Peskin introduced and welcomed members of the Youth Works Programs and thanked those interns who have worked in various Supervisor's Offices throughout the year.

SPECIAL ORDER 4:00 P.M.

061125 **[Hearing - Ground Lease of Redevelopment Agency Land for Kokoro Assisted Living Facility]**
Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 674, Lot 33, commonly known as 1881 Bush Street, southeast corner of Bush and Laguna Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to the JAPANESE AMERICAN RELIGIOUS FEDERATION ASSISTED LIVING FACILITY, INC., a California nonprofit corporation, for 69 years, with a 30 year option to extend, for the purpose of maintaining a fully licensed assisted living facility for low- and moderate-income senior households with some market rate housing. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board members.
Calvin Lee, Redevelopment Agency
The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

061124 **[Ground Lease of Redevelopment Agency Land for Kokoro Assisted Living Facility]**
Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 674, Lot 33, commonly known as 1881 Bush Street, southeast corner of Bush and Laguna Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to the JAPANESE AMERICAN RELIGIOUS FEDERATION ASSISTED LIVING FACILITY, INC., a California nonprofit corporation, for 69 years, with a 30 year option to extend, for the purpose of maintaining a fully licensed assisted living facility for low-and moderate-income senior households with some market rate housing.

(Fiscal impact.)

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Alioto-Pier

SPECIAL ORDER 4:00 P.M.

From the Board

(Only one of the following two motions should be adopted.)

Supervisor McGoldrick was noted present at 4:16 p.m.
Supervisor Daly was noted absent at 4:23 p.m.

060967 [Affirming certification of Wharf J-10 FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Wharf J-10 Project.

Supervisor Alioto-Pier was previously excused from voting on this matter.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Alioto-Pier

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060968 [Disapproving certification of Wharf J-10 FEIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Wharf J-10 Project.

Supervisor Alioto-Pier was previously excused from voting on this matter.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Alioto-Pier

060969 [Preparation of findings to disapprove certification of Wharf J-10 FEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Wharf J-10 FEIR.

Supervisor Alioto-Pier was previously excused from voting on this matter.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Alioto-Pier

SPECIAL ORDER 4:00 P.M.

060984 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 70 Douglass Street]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated September 27, 2005 (Case No. 2005.0616E), exempting from environmental review under Categorical Exemption, Class 1 and Class 3 [State Guidelines, Section 15301(1)(1) and 15303(b)], the proposal would demolish an existing four-bedroom (BR) single-family dwelling of 2,196 square feet (sq ft) constructed pre-1900, and construct a new two-unit residential building of 7,351 gross sq ft. The site, on the western side of Douglass Street, located approximately mid-block (Assessor's Block 2625, Lot 007A), is an irregular shaped parcel of 3,693 sq ft within the city block bounded by Douglass Street to the east, Ord Street to the west, and 17th Street to the south (Douglass Street dead ends at the northerly end of the block). The project site, located in the Upper Market neighborhood, is zoned RH-2 (Residential, House-Two Family) and is within a 40-X height and bulk district. (Appellants: Susan Detwiler on behalf of the owners of 62-68 Douglass Street.)

(Filed June 27, 2006; companion measure to Files 060985, 060986, 060987, District 8.)

The Planning Department rescinded its the Certification of Determination of Exemption/Exclusion. The matter was removed from the Board agenda.
FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

060985 **[Affirming the categorical exemption issued for the 70 Douglass Street project]**
Motion affirming the determination by the Planning Department that the project at 70 Douglass Street is categorically exempt from environmental review under the California Environmental Quality Act.

The Planning Department rescinded its the Certification of Determination of Exemption/Exclusion. The matter was removed from the Board agenda.

060986 **[Disapproving the categorical exemption issued for 70 Douglass Street]**
Motion disapproving the determination by the Planning Department that the 70 Douglass Street project is categorically exempt from environmental review under the California Environmental Quality Act.

The Planning Department rescinded its the Certification of Determination of Exemption/Exclusion. The matter was removed from the Board agenda.

060987 **[Preparation of findings related to the 70 Douglass Street project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 70 Douglass Street is exempt from environmental review under the California Environmental Quality Act.

The Planning Department rescinded its the Certification of Determination of Exemption/Exclusion. The matter was removed from the Board agenda.

SPECIAL ORDER 4:30 P.M.

061099 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 368-370 Lombard Street/20-24A Julius Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 27, 2006 (Case No. 2006.0362E), exempting from environmental review under General Rule Exclusion [State Guidelines, Sections 15061(b)(3)] and Case File 1997.304E, the proposed project involving the subdivision of a single 3,250 square-foot (sf), L-shaped lot with frontages on Lombard and Julius Streets into two lots, one fronting each street. The proposed project lot with frontage on Julius Street would be 1,040 square-feet (sf) in size, and the proposed lot with frontage on Lombard Street would be 2,210 square-feet (sf) in size. The Lombard Street lot would contain an existing single-family residential building and existing two-unit building and the Julius Street lot would contain an existing two-unit residential building. No construction is proposed. The site is in RH-3 (Residential, House; Three-Family) zoning district, and the 40-X height and bulk district. The proposed lots at 1,040 square feet and 2,210 square feet in size would contain less than the minimum lot area required in the RH-3 zoning district, and would therefore, require a variance from the Planning Code's minimum lot area. Both of the proposed lots would also be deficient and require a variance for the minimum rear yard and usable open space requirements set forth in the Planning Code Sections 134(a)(2) and 135(d) respectively. The proposed lot division would require a subdivision permit from the Department of Public Works. (Appellant: Vedica Puri on behalf of Telegraph Hill Dwellers.)

(Filed July 20, 2006; companion measure to Files 061100, 061101, 061102, District 3.)

The Planning Department rescinded its the Certification of Determination of Exemption/Exclusion. The matter was removed from the Board agenda.

FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

061100 **[Affirming the categorical exemption issued for 368-370 Lombard Street/20-24A Julius Street]**

Motion affirming the determination by the Planning Department that the 368-370 Lombard Street/20-24A Julius Street project is categorically exempt from environmental review under the California Environmental Quality Act.

The Planning Department rescinded its the Certification of Determination of Exemption/Exclusion. The matter was removed from the Board agenda.

061101 **[Disapproving the categorical exemption issued for 368-370 Lombard Street/20-24A Julius Street]**

Motion disapproving the determination by the Planning Department that the 368-370 Lombard Street/20-24A Julius Street project is categorically exempt from environmental review under the California Environmental Quality Act.

The Planning Department rescinded its the Certification of Determination of Exemption/Exclusion. The matter was removed from the Board agenda.

061102 **[Preparation of findings related to the 368-370 Lombard Street/20-24A Julius Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 368-370 Lombard Street/20-24A Julius Street is exempt from environmental review under the California Environmental Quality Act.

The Planning Department rescinded its the Certification of Determination of Exemption/Exclusion. The matter was removed from the Board agenda.

COMMITTEE REPORTS

060892 **[Revenue Control Equipment requirements for Parking Garages and Lots]**
Supervisors McGoldrick, Daly

Ordinance adding Article 22 to the Business and Tax Regulations Code, amending Article 9 of the Business and Tax Regulations Code, and repealing Article 49 of the Police Code, to establish revenue control equipment functionality and business practices requirements for purposes of Parking Tax collection and consumer protection, to establish penalties for violation, to require that parking garage and lot operators certify concurrent with payment of Parking Taxes their use of revenue control equipment that meets those requirements, and establishing a limited Parking Tax amnesty program.

(Fiscal impact.)

Supervisor Daly requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisor McGoldrick was noted absent at 4:10 p.m.

060501 **[Campaign Finance Reform Ordinance Amendments]**
Mayor

Ordinance amending Sections 1.100, 1.104, 1.108, 1.112, 1.114, 1.116, 1.122, 1.126, 1.128, 1.130, 1.135, 1.150, 1.161 and 1.170, adding sections 1.107, 1.113, 1.115, 1.118, 1.162.5, 1.163.5 and 1.172 and repealing section 1.132, Chapter 2 of Article I, section 1.200 and Chapter 4 of Article I, sections 1.400, 1.405, 1.410, 1.415, 1.420 and 1.425 of the Campaign and Governmental Conduct Code to move the False Endorsements Ordinance and the Prohibition on Multiple Campaign Accounts into the Campaign Finance Reform Ordinance ("CFRO"); subject School District and Community College District measures to CFRO; reenact contribution and voluntary expenditure limits at their existing levels; clarify sections of CFRO related to electronic filing requirements, candidate loan restrictions, permissible uses of campaign funds, pre-election reporting requirements, and the contractor contribution prohibition; prohibit candidates from accepting voluntary expenditure ceilings if the applicable ceiling was already lifted; create late filing fees for reports required by CFRO; create new penalties for candidates that receive public financing and exceed applicable expenditure ceilings; create new and clarify existing disclaimer requirements for campaign advertisements; create training requirements for candidates and treasurers; create new filing requirements during the signature gathering process for ballot measures; permit the return of contributions once campaign funds become surplus or a candidate withdraws only on a last in, first out basis; permit the Ethics Commission to extend filing deadlines that fall on weekends or holidays; require candidates to pay for accrued expenses within 180 days; and require expenditures that are coordinated with candidates to be treated as contributions.

Supervisor Daly divided the quesiton relating to the "early exceeding of cap spending" and referred this matter to Committee.
The remainder of the question was passed on first reading as divided without objection.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved to rescind the previous vote.
Motion to rescind the previous vote was carried without objection.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Alioto-Pier

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Alioto-Pier

Supervisor McGoldrick was noted present at 4:16 p.m.

061126 **[Settlement of Lawsuit - Gustavo A. Cubillo]**

Ordinance authorizing settlement of the lawsuit filed by Gustavo A. Cubillo against the City and County of San Francisco for $50,000; the lawsuit was filed on May 17, 2004 in San Francisco Superior Court, Case No. 431-445; entitled Gustavo A. Cubillo, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061127 **[Settlement of Lawsuit - CCSF v. Gregory P. O'Keeffe and Lydia Collins]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Gregory P. O'Keeffe and Lydia Collins, in the probate matter of The Estate of Dorothy Frances Boyesen, for $40,000.00; the lawsuit was filed on August 20, 2004 in the San Francisco Superior Court, Case No. PES-04-285738; entitled The Estate of Dorothy Frances Boyesen; City and County of San Francisco v. Gregory P. O'Keeffe and Lydia Collins. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

* **061017** **[Urging Federal Officials to Urge Mexico's Federal Electoral Tribunal to Order a Vote by Vote Recount]**
Supervisor Daly

Resolution urging Federal officials to urge Mexico's Federal Electoral Tribunal to order a vote by vote recount in the presidential election.

(Supervisor Elsbernd Dissenting in Committee)

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

* **061086** **[Resisting the Federal Government's Intervention in a San Francisco Investigation]**
Supervisors Mirkarimi, Ammiano, Daly

Resolution resisting the federal government's intervention in the City and County of San Francisco's investigation of the July 8th, 2005 G-8 protest; expressing support for the California Shield Law; and urging Congress to pass Senate Bill 2831, the Free Flow of Information Act.

Supervisor Elsbernd Dissenting in Committee.

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

Supervisor Mirkarimi Excused From Voting

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved to excuse Supervisor Mirkarimi, at his request, because of possible conflict of interest, from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Alioto-Pier, Mirkarimi

061177 **[Appointment to San Francisco LAFCO]**

Motion appointing Supervisor Ross Mirkarimi, term ending February 4, 2010, to the San Francisco Local Agency Formation Commission.

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Alioto-Pier, Mirkarimi

Supervisor McGoldrick Excused From Voting

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved to excuse Supervisor McGoldrick, at his request, because of possible conflict of interest, from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

061178 **[Appointment - California State Association of Counties]**

Resolution appointing Supervisor Jake McGoldrick, term ending November 28, 2006, to the California State Association of Counties Board of Directors.

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, McGoldrick

Supervisor Daly Excused From Voting

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved to excuse Supervisor Daly, at his request, because of possible conflict of interest, from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, Daly

061179 **[Appointment - California State Association of Counties]**

Resolution appointing Supervisor Chris Daly, term ending November 28, 2006, as an alternate member to the California State Association of Counties Board of Directors.

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Alioto-Pier, Daly

061152 **[Appointment to Police Commission - Yvonne Lee]**

Mayor

Motion confirming the Mayor's nomination of, and appointing, Yvonne Lee to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2010.

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the.Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the war in the Middle East
James Chaffee: expressed concern with issues relating to the SF Public Library
Ms. Martinez; showed appreciation for the legislation to restore the employment of a Hispanic employee at the Human Rights Commission
Eugene Gordon, Jr.; expressed concern with issues relating to the violation of human rights conditions
Female speaker; expressed concern over issues relating to immigration officers and policies
Female speaker; expressed concern over issues relating to immigration officers and policies
Sylvia Johnson; expressed concern with issues relating to the homeless
Ms. Jacob; expressed concern with issues relating to Comcast
Robert Pender; showed interest with issues relating to Park Merced Apartments

Supervisor Daly was noted present at 4:26 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061172 **[Enterprise Zone Designation]**
Mayor, Supervisor Peskin

Resolution authorizing submission of an application to the California Housing and Community Development Department for an Enterprise Zone Designation for the City and County of San Francisco.

ADOPTED

061173 **[Grant to support the Hospital Preparedness Program through the San Francisco Department of Public Health]**

Supervisors Peskin, Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to retroactively accept and expend a grant in the amount of $565,230.32 from the California Department of Health Services, Emergency Preparedness Office, for year 4 of the Hospital Preparedness Program, for the period of September 1, 2005, through August 31, 2006.

ADOPTED

061174 **[Calling for hearing on the Controller's determinations as to increases or decreases in taxi fares and the gate cap pursuant to Police Code Section 1137]**

Supervisor Elsbernd

Resolution calling for a hearing on the controller's determinations as to increases or decreases in taxi fares and the gate cap pursuant to Police Code Section 1137.

ADOPTED

061175 **[Urging boards and commissions to adopt policies regarding members' attendance at meetings]**

Supervisors Ammiano, Elsbernd

Resolution urging each City board, commission or advisory body to adopt an internal policy regarding members' attendance at meetings of the body, and requesting each body to submit a copy of its policy to the Board of Supervisors by December 1, 2006.

Supervisor Elsbernd requested to be added as a co-sponsor.

ADOPTED

061182 **[Accept-expend State Grant Funds available under the State Urban Parks and Healthy Communities Program to fund the Potrero Del Sol Park Project]**

Supervisor Ammiano

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of $720,559 for the development of the Potrero Del Sol Playground Project, under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California Department of Parks and Recreation, Office of Grants and Local Services.

ADOPTED

061184 **[Urging the United States Department of State to condemn the Islamic Republic of Iran's practice of execution by stoning]**

Supervisors Mirkarimi, Dufty

Resolution urging the United States Department of State to condemn the Islamic Republic or Iran's execution by stoning of Abbas Hajizadeh and Mahboubeh Mohammadi and the impending execution by stoning of Ashraf Kolhari and Malak Ghorbany.

Supervisor Dufty requested to be added as a co-sponsor.

ADOPTED

061185 **[Application for Funds Under the Help America Vote Act]**
Supervisor Mirkarimi

Resolution approving the application for funds under the federal Help America Vote Act of 2002, Section 301.

ADOPTED

061186 **[Urging the United States Department of State to investigate the revocation of valid visas for members of the Sharif University Technology Association]**
Supervisor Mirkarimi

Resolution urging the United States Department of State to investigate the revocation of valid visas for members of the Sharif University Technology Association.

ADOPTED

061187 **[Accept-Expend grant from the Campaign to Save the Windmills for the Department of the Environment]**
Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $50,000 from the Campaign to save the Windmills to develop curriculum and interpretive panels on wind energy.

ADOPTED

061188 **[Accept-Expend Regional Grant]**
Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $17,250.00 from Altamont Education Advisory Board to expand recycling and lunchroom composting programs at schools in San Francisco.

ADOPTED

061189 **[Zoning - Extension of Planning Commission Review Period]**
Supervisor Sandoval

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Zoning Map of the City and County of San Francisco to change the use designation of Lot 11C in Assessor's Block 6954 from RH-1 (One-Family) to NC-3 (Moderate-Scale Neighborhood Commercial District).

ADOPTED

061190 **[Supporting the Immigrant Workers Rights' march to be held over Labor Day Weekend in San Francsico]**
Supervisors Sandoval, Dufty

Resolution supporting the Immigrant Workers Rights' March to be held over Labor Day Weekend in San Francisco.

Supervisor Dufty requested to be added as a co-sponsor.
ADOPTED

061191 [Abraham Lincoln High School Class of 1956 Day]
Supervisors Ma, Elsbernd

Resolution declaring September 29, 2006 as "Abraham Lincoln High School Class of 1956 Day".

Supervisor Elsbernd requested to be added as a co-sponsor.
ADOPTED

061192 [Commending Zephyr Real Estate on their new policy restricting their agents from representing property owners that have used the Ellis Act to evict protected tenants from their building]
Supervisor Dufty

Resolution commending Zephyr Real Estate on their new policy restricting their agents from representing property owners that have used the Ellis Act to evict protected tenants from their building.

ADOPTED

061193 [Opposing Proposition 85]
Supervisors Ma, Dufty

Resolution opposing Proposition 85 - Waiting period and parental notification before termination of minor's pregnancy.

Supervisor Dufty requested to be added as a co-sponsor.
ADOPTED

061194 [Supporting AB 1632]
Supervisor Ammiano

Resolution supporting California Assembly Bill 1632.

ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Elsbernd, moved to approve the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Elsbernd, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061195 [Commendation for Father Gerard Jean-Juste]

Supervisor Daly

Resolution commending Father Gerard Jean-Juste for his great sacrifice, courage and commitment in fighting for democracy and justice for the people of Haiti.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Elsbernd, seconded by Supervisor Daly, moved to approve the Serious Injury Finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Elsbernd, seconded by Supervisor Daly, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061197 [Protection of City Employee Retiree Benefits]
Supervisors Elsbernd, Dufty

Resolution urging the Joint City-Labor GASB committee to ensure the continuity and full protection of all existing benefits currently enjoyed by existing benefits currently enjoyed by existing retirees covered by the San Francisco retirement system and urging the Joint City-Labor GASB committee to invite representatives of existing retirees to any meetings discussing GASB issues.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

061154 [Settlement of Lawsuit - Stephen N. Farac v. City and County of San Francisco, et al.]

Ordinance authorizing settlement of the matter of Stephen Farac v. City and County of San Francisco for $50,000. The lawsuit was filed on April 28, 2005, in San Francisco Superior Court, Case No. 440-820; entitled Stephen N. Farac v. City and County of San Francisco, and Does 1 Through 20, Inclusive. (City Attorney)

8/7/06, RECEIVED AND ASSIGNED to Rules Committee.

061155 [Liquor License Transfer, 300 Brazil Avenue]

Hearing to consider the transfer of a Type 20 off-sale beer and wine license from 301 Brazil Avenue to 300 Brazil Avenue (District 11), to Adel Abdo Ghanem dba Frank's Grocery Store, #2 will serve the convenience of the people of the City and County of San Francisco.

8/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

8/10/06, REFERRED TO DEPARTMENT. Referred to Planning and Police Depts. for review and comment.

061156 [Setting San Francisco's fiscal year 2006-2007 property tax rate and establishing pass-through rate for residential tenants]

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2007. (Controller)

8/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061157 [Setting San Francisco Unified School District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2007. (Controller)

8/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061158 **[Setting San Francisco Community College District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2007. (Controller)

8/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061159 **[Setting San Francisco Bay Area Rapid Transit District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2007. (Controller)

8/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

061170 **[Authorizing the Department of Telecommunications and Information Services to amend an agreement with International Business Machines Corporation to extend the term of the agreement to twelve years]**

Resolution authorizing the Department of Telecommunications and Information Services to enter into the Second Amendment of an agreement between the City and County of San Francisco ("City") and International Business Machines Corporation ("IBM") to extend the term of the agreement to twelve years. (Telecommunications and Information Services)

8/8/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:28 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

VOTES

MEETING MINUTES - DRAFT

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City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent.

Supervisor Alioto-Pier was excused from attending today's meeting.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Dufty, moved to approve the August 1 and August 8, 2006 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisor Alioto-Pier Excused from Attendance

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Alioto-Pier from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

CONSENT AGENDA

Items 1 through 10

Recommendations of the Budget and Finance Committee

060852 **[Requiring that the acceptance and expenditure of any grant that would result in the creation of new City positions be approved by an ordinance that includes an appropriate amendment to the annual salary ordinance]**
Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Section 10.170-1, to require that the acceptance and expenditure of any grant that would result in the creation of new City positions be approved by an ordinance that includes an appropriate amendment to the annual salary ordinance.

FINALLY PASSED.

060991 **[Planning Code - Fee Adjustments]**
Ordinance amending the San Francisco Planning Code by amending Section 350 and 352 of Article 3.5 to adopt fees for Planning Department services related to appeals to the Board of Supervisors and provide for annual adjustments of said fees; and making environmental findings.

FINALLY PASSED.

Recommendations of the City Operations and Neighborhood Services Committee

060845 **[Extending existing restrictions on parking commercial vehicles in specified use districts to include vehicles with a gross combination weight rating in excess of 10,000 lbs.]**
Supervisor McGoldrick

Ordinance amending the San Francisco Traffic Code by amending Sections 63 and 63(A) to extend the restrictions on parking certain commercial vehicles in specified use districts to include vehicles with a gross combination weight rating in excess of 10,000 lbs. (Parking and Traffic Department)

FINALLY PASSED.

061141 **[Sole source procurement of interior furniture/workstations and movable partitions for the San Francisco Main Library Renovation]**
Supervisor Ma

Ordinance waiving the competitive requirements of San Francisco Administrative Code section 21.1, and authorizing the Purchaser to negotiate and issue a purchase order for interior furniture/workstations and movable partitions for the San Francisco Main Library from One Workplace, a Steelcase distributor, as a sole source.

FINALLY PASSED.

Recommendation of the Government Audit and Oversight Committee

060892 **[Revenue Control Equipment requirements for Parking Garages and Lots]**

Ordinance adding Article 22 to the Business and Tax Regulations Code, amending Article 9 of the Business and Tax Regulations Code, and repealing Article 49 of the Police Code, to establish revenue control equipment functionality and business practices requirements for purposes of Parking Tax collection and consumer protection, to establish penalties for violation, to require that parking garage and lot operators certify concurrent with payment of Parking Taxes their use of revenue control equipment that meets those requirements, and establishing a limited Parking Tax amnesty program.

(Fiscal impact.)

FINALLY PASSED.

Recommendation of the Land Use and Economic Development Committee

060701 **[Adopting disability access standards for the Sunday closure of JFK Drive]**
Supervisor McGoldrick

Ordinance amending the Park Code by adding Section 6.12 to adopt disability access standards and authorized vehicular traffic use for the Sunday closure of John F. Kennedy Drive and related roads in Golden Gate Park and making environmental findings.

FINALLY PASSED.

Recommendations of the Rules Committee

061126 **[Settlement of Lawsuit - Gustavo A. Cubillo]**

Ordinance authorizing settlement of the lawsuit filed by Gustavo A. Cubillo against the City and County of San Francisco for $50,000; the lawsuit was filed on May 17, 2004 in San Francisco Superior Court, Case No. 431-445; entitled Gustavo A. Cubillo, et al. v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED.

061127 **[Settlement of Lawsuit - CCSF v. Gregory P. O'Keeffe and Lydia Collins]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Gregory P. O'Keeffe and Lydia Collins, in the probate matter of The Estate of Dorothy Frances Boyesen, for $40,000.00; the lawsuit was filed on August 20, 2004 in the San Francisco Superior Court, Case No. PES-04-285738; entitled The Estate of Dorothy Frances Boyesen; City and County of San Francisco v. Gregory P. O'Keeffe and Lydia Collins. (City Attorney)

FINALLY PASSED.

061180 **[Appointment - Foster Care Improvement Task Force]**

Resolution appointing Toby Eastman, Patricia Scott, Patricia Nelson Doyle, Connie R. Davis, Karey Fenderson, Joanna Uribe, Crystal Baik, Michele Byrnes, Maria Ramiu, Leona Cannon-Hunter, Lanette Scott and Bill Bettencourt, terms ending August 31, 2007, to the Foster Care Improvement Task Force, residency requirement waived.

Toby Eastman (residency requirement waived), new appointment, seat 3, must be a representative of a neighborhood organization from South of Market/Tenderloin, for the unexpired portion of a two-year term ending August 31, 2007.
Patricia Scott, new appointment, seat 5, must be a representative of a neighborhood organization from Western Addition, for the unexpired portion of a two-year term ending August 31, 2007.
Patricia Nelson Doyle (residency requirement waived), new appointment, seat 6, must be a representative of a neighborhood organization from Bayview/Hunter's Point, for the unexpired portion of a two-year term ending August 31, 2007.
Connie R. Davis, new appointment, seat 7, must be a representative of a faith-based organization, for the unexpired portion of a two-year term ending August 31, 2007.
Karey Fenderson, new appointment, seat 8, must be a representative of a childcare organization, for the unexpired portion of a two-year term ending August 31, 2007.
Joanna Uribe (residency requirement waived), new appointment, seat 9, must be involved in engagement and community planning, with expertise working with African-American and Latino families, for the unexpired portion of a two-year term ending August 31, 2007.
Crystal Baik, new appointment, seat 10, must be a representative from a domestic violence organization, for the unexpired portion of a two-year term ending August 31, 2007.
Michele Byrnes (residency requirement waived), new appointment, seat 11, must be a representative from an organization dedicated to serving emancipated youth, for the unexpired portion of a two-year term ending August 31, 2007.
Maria Ramiu, new appointment, seat 12, must be a representative of a foster care advocacy organization, for the unexpired portion of a two-year term ending August 31, 2007.
Leona Cannon-Hunter, new appointment, seat 13, must be a foster care parent, for the unexpired portion of a two-year term ending August 31, 2007.
Lanette Scott, new appointment, seat 14, must be an emancipated youth, for the unexpired portion of a two-year term ending August 31, 2007.
Bill Bettencourt, new appointment, seat 15, must be a representative of a child welfare organization, for the unexpired portion of a two-year term ending August 31, 2007.

ADOPTED.

061181 **[Appointment - Lead Hazard Reduction Citizens Advisory Committee]**

Resolution appointing Carla Johnson, term ending December 31, 2006, to the Lead Hazard Reduction Citizens Advisory Committee.

Carla Johnson, succeeding James Hutchinson, resigned, seat 2, must represent the Department of Building Inspection, for the unexpired portion of a term ending December 31, 2006.

ADOPTED.

PASS THE CONSENT AGENDA by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

060589 **[Liquor License Transfer, 845 Market Street, Space 010]**

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Continued to September 19, 2006

Supervisor Ma, seconded by Supervisor Maxwell, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

From the Government Audit and Oversight Committee Without Recommendation

060860 **[Resolution of Intention to form the Central Market Community Benefit District]**
Mayor

Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Central Market Community Benefit District" and levy a multi-year assessment on identified parcels in the district, (2) approving the management district plan and engineer's report for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing as required by law.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

Recommendation of the Land Use and Economic Development Committee

060533 **[Chinatown Visitor Retail Zoning District: Other Entertainment]**
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 811.47b of the Retail Sales and Services section of Table 811 to allow other entertainment as a principal use on the first and second stories in the Chinatown Visitor Retail Zoning District and by adding Section 811.47b to the Specific Provisions for Chinatown Visitor Retail District of Table 811 noting that the other entertainment use must be in conjunction with an existing full-service restaurant; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendation of the Rules Committee

060501 **[Campaign Finance Reform Ordinance Amendments]**
Mayor

Ordinance amending Sections 1.100, 1.104, 1.108, 1.112, 1.114, 1.116, 1.122, 1.126, 1.128, 1.130, 1.135, 1.150, 1.161 and 1.170, adding sections 1.107, 1.113, 1.115, 1.118, 1.162.5, 1.163.5 and 1.172 and repealing section 1.132, Chapter 2 of Article I, section 1.200 and Chapter 4 of Article I, sections 1.400, 1.405, 1.410, 1.415, 1.420 and 1.425 of the Campaign and Governmental Conduct Code to move the False Endorsements Ordinance and the Prohibition on Multiple Campaign Accounts into the Campaign Finance Reform Ordinance ("CFRO"); subject School District and Community College District measures to CFRO; reenact contribution and voluntary expenditure limits at their existing levels; clarify sections of CFRO related to electronic filing requirements, candidate loan restrictions, permissible uses of campaign funds, pre-election reporting requirements, and the contractor contribution prohibition; prohibit candidates from accepting voluntary expenditure ceilings if the applicable ceiling was already lifted; create late filing fees for reports required by CFRO; create new penalties for candidates that receive public financing and exceed applicable expenditure ceilings; create new and clarify existing disclaimer requirements for campaign advertisements; create training requirements for candidates and treasurers; create new filing requirements during the signature gathering process for ballot measures; permit the return of contributions once campaign funds become surplus or a candidate withdraws only on a last in, first out basis; permit the Ethics Commission to extend filing deadlines that fall on weekends or holidays; require candidates to pay for accrued expenses within 180 days; and require expenditures that are coordinated with candidates to be treated as contributions.

FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Lionel Sanford;
Eugene Gordon, Jr.; expressed concern relating to human rights issues
Elaine, Labor Council; supporting legislation against proposed rule to enforce immigration law
Male speaker; expressed concern regarding uniformed business policies
Eula Walters; expressed concern regarding renaming of Ferry Park
John Dadinna; expressed views regarding obtaining a drivers's license
John Kindregan; expressed Christian views
Walter; showed appreciation of work done by various organizations
Sylvia Johnson; expressed concerns regarding homeless issues
Male speaker; expressed concern regarding immigration laws and policies
James Chaffee; expressed concern with issues relating to the S. F. Public Library
Male speaker; expressed concern regarding immigration laws and policies

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 17 through 27

061218 **[Accept-Expend Federal/State Pass Through Grant - Public Library]**
Supervisor Dufty

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $11,332 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061220 **[Opposing the Department of Homeland Security's proposed rule to enforce immigration law]**
Mayor, Supervisor Sandoval

Resolution opposing the Department of Homeland Security's proposed rule on use of Social Security Administration "no-match" letters to enforce immigration law.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061221 **[Accept-Expend Federal Grant - Department of Public Works]**
Supervisor Elsbernd

Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of $75,243 from the California Department of Transportation to develop a bridge maintenance plan for the City and County of San Francisco and authorizing the Director of Public Works or his or her designee to execute all documents therefore.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061222 **[Approval of the MOU between the San Francisco Police Department and the San Francisco Housing Authority for additional police services]**
Supervisor Maxwell

Resolution approving the Memorandum of Understanding between the San Francisco Police Department and the San Francisco Housing Authority for additional police services in designated Housing Authority Developments.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061252 **[Appointment, Assessment Appeals Board No. 2 - Arthur Tom III]**
Resolution appointing Arthur Tom III, term ending September 7, 2009, to Assessment Appeals Board #2; correcting clerical error in Resolution 476-06. (Clerk of the Board)

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061224 **[Final Map - 1551 Taraval Street]**
Motion approving Final Map 3158, a 10 Unit Mixed-Use Condominium Project, located at 1551 Taraval Street being a subdivision of Lot 38 in Assessors Block No. 2400 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,053; District 4.)

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061230 **[Final Map - 1082 Pennsylvania Street]**

Motion approving Final Map 2525, a 26 Unit Live/Work Condominium Project, located at 1082 Pennsylvania Street being a subdivision of Lot 61 in Assessors Block No. 4224 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(DPW Order No. 176,290; District 10.)

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061231 **[Final Map - 235 Berry Street]**

Motion approving Final Map 3401, a 99 Unit Residential Condominium Project, located at 235 Berry Street being a subdivision of Lot 5 in Assessors Block No. 8708 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(DPW Order No. 176,105; District 6.)

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061232 **[Final Map - 4343 Third Street]**

Motion approving Final Map 3635, a Two Commercial and 16 Residential Unit Mixed-Use Condominium Project, located at 4343 Third Street being a subdivision of Lot 14 in Assessors Block No. 5278 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(DPW Order No. 176,324; District 10.)

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061233 **[Final Map - 41 Federal Street]**

Motion approving Final Map 3729, a 11 Unit Live/Work Condominium Project, located at 41 Federal Street being a subdivision of Lot 15 in Assessors Block No. 3774 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(DPW Order No. 176,294; District 6.)

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061234 **[Final Map - 2625 24th Street]**

Motion approving Final Map 3943, a 5 Unit Residential Condominium Project, located at 2625 24th Street being a subdivision of Lot 26 in Assessors Block No. 4264 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(DPW Order No. 176,298; District 9.)

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to approve the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061253 **[Commending Reverend Dr. G. Penny Nixon on the occasion of her departure from Metropolitan Community Church of San Francisco]**

Supervisors Dufty, Ammiano

Resolution commending Reverend Dr. G. Penny Nixon on the occasion of her departure from Metropolitan Community Church of San Francisco.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

061171 **[Settlement of Lawsuit - Department of Fair Employment and Housing v. City and County of San Francisco, et al]**

Ordinance authorizing settlement of the lawsuit filed by Department of Fair Employment and Housing on behalf of Real Party in Interest Angela Martin against the City and County of San Francisco for $160,000.00; the lawsuit was filed on August 4, 2005, in San Francisco Superior Court, Case No. 443742; entitled Department of Fair Employment and Housing v. City and County of San Francisco, et al. (City Attorney)

8/9/06, RECEIVED AND ASSIGNED to Rules Committee.

061227 **[Settlement of Lawsuit - CCSF, et al. v. Kam Kong Tang and Kai Yuen Ng]**

Ordinance authorizing the settlement of a lawsuit filed by the City and County of San Francisco against Kam Kong Tang and Kai Yuen Ng, former part owners of the King Tin Restaurant, for $85,000.00; the lawsuit was filed on August 3, 2005 for violation of the City's Minimum Wage Ordinance, in San Francisco Superior Court, Case No. 433685, entitled City and County of San Francisco, et al. v. Kam Kong Tang and Kai Yuen Ng. (City Attorney)

8/25/06, RECEIVED AND ASSIGNED to Rules Committee.

061228 **[Settlement of Lawsuit - John and Judith Bovio, et al., v. City and County of San Francisco, et al]**

Ordinance authorizing settlement of the lawsuit filed by John and Judith Bovio against the City and County of San Francisco for $85,000; the lawsuit was filed on December 8, 2004 in San Francisco Superior Court, Case No. 436-946; entitled John and Judith Bovio, et al., v. City and County of San Francisco, et al. (City Attorney)

8/25/06, RECEIVED AND ASSIGNED to Rules Committee.

061237 **[General Plan Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and Geary Streets, Block 0312, Lot 003]**

Ordinance amending the General Plan of the City and County of San Francisco by amending Map 1 (Downtown Land Use and Density Plan) and Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan to change the land use designation of Assessor's Block 0312, Lot 003 from Downtown Retail to Downtown Office and the height and bulk district classification from 80-130-F to a 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the Priority Policies of Planning Code Section 101.1. (Planning Department)

8/31/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/2/2006.

061238 **[Zoning Map Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and Geary Streets, Block 0312, Lot 003]**

Ordinance amending the San Francisco Planning Code by amending Sheet 1 of the Zoning Map of the City and County of San Francisco to change the use district designation of Assessor's Block 0312, Lot 003 from C-3-R 3 (Downtown Retail) to C-3-O (Downtown Office), and amending Sheet 1H of the Zoning Map to change the height and bulk district classification of Assessor's Block 0312, Lot 003 from 80-130-F to 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

8/31/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/2/2006.

PROPOSED RESOLUTIONS

061225 **[Disposition and Development Agreement and Ground Lease for the Old Mint]**

Resolution approving and authorizing a disposition and development agreement and lease for the rehabilitation and use of the Old Mint by the San Francisco Museum and Historical Society; approving the Negative Declaration; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the transactions contemplated are consistent with the City's General Plan and Eight Priority Policies of City's Planning Code; and authorizing the City Administrator, or designee, to execute documents, make certain modifications and take certain actions in furtherance of this resolution.

8/22/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests that this item be calendared as soon as possible.

061235 **[Exemption from Requirement that Ambulances Carry Spare Tire and Jack]**

Resolution authorizing the San Francisco Fire Department to be exempt from California Code of Regulations Title 13, Division 2, Chapter 5, Article 1, Section 1103(e) and (f), requiring ambulances to carry spare tire and jack. (Fire Department)

9/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061239 **[Approval of Joint Powers Agreement for North Bayside System Unit facilities with the Cities of San Francisco, South San Francisco, San Bruno, Millbrae, and Burlingame]**

Resolution approving and authorizing the execution of an Agreement between the Cities of San Francisco, South San Francisco, San Bruno, Millbrae, and Burlingame pertaining to capacity ownership, operation, maintenance and capital projects cost sharing for North Bayside System Unit (NBSU) Facilities. (Airport Commission)

9/1/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061240 **[In-kind agreement and acceptance of easement relating to 333 Fremont Street]**

Resolution approving an in-kind agreement for the provision of a mid-block pathway and streetscape improvements to satisfy a portion of the developer's impact fee obligation relating to the 333 Fremont Street project; authorizing the acceptance of an easement for such mid-block pathway under the terms of the in-kind agreement; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution; and ratifying previous actions taken in connection therewith. (Planning Department)

9/1/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061241 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Kearny Street, west side, from Broadway to 79 feet southerly.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Folsom Street, both sides, between 5th and 6th Streets; and,
South Van Ness Avenue, both sides, between Mission and Howard Streets.

NO PARKING ANYTIME - ESTABLISH
Market Street, west side, from the light pole, approximately 100 feet south of the driveway of 3550 Market Street to the driveway of 3620 Market Street (due to the absence of a sidewalk).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Folsom Street, north side, from 138 feet to 188 feet east of 2nd Street.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Gilbert Street, both sides, between Brannan Street to southern terminus (unit block, excludes Lot #18, block 3784).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Leavenworth Street, east side, from the south side of the driveway of 808 Leavenworth Street to 20 feet southerly (20-foot space, accommodating 4 motorcycle parking spaces).

PARKING METER AREA NO. 2 (1-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Natoma Street, south side, between 5th and Mary Streets (portion of the 400 block)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Webster Street, along the terminus, south of Hermann Street (Unit Block); and,
Webster Street, east side , from the terminus to 29 feet northerly (Unit Block).

NO PARKING ANYTIME - ESTABLISH
101 Lansdale Avenue, from 97 feet north of the southeast property line of 101 Lansdale Avenue to 112 feet west of the northeast property line of 101 Lansdale Avenue (along the inside of the curve adjacent to 101 Lansdale Avenue).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Pennsylvania Avenue, east side, from 23rd Street to 350 feet northerly.

PARKING METER AREA NO. 2, 7AM TO 6PM, 1-HOUR TIME LIMIT, MONDAY THROUGH SATURDAY - ESTABLISH
Market Street, north side, from 12th Street to Van Ness Avenue (within the parking bay area).

TOW-AWAY NO STOPPING ANYTIME - ESTABLISH
Market Street, north side, from Page Street to 12th Street.

RESIDENTIAL PERMIT PARKING AREA "U" – RESCIND
45 Lansing Street, Lot 59 of Block 3749 on the Unit block of Lansing Street. (Parking and Traffic Department)

(8/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3236.)

9/1/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061242 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
20th and Sanchez Streets, stopping the Liberty Street approaches to 20th Street;
Manzanita Avenue and Euclid Avenue, stopping Manzanita Avenue;
Iris Avenue and Euclid Avenue, stopping Iris Avenue;
King Street at Division Street, stopping southbound King Street;
Green and Montgomery Streets, stopping Montgomery Street at Green Street, making this uncontrolled intersection a two-way STOP.
Crestlake Drive and Yorba Street, making this Y-intersection an All-Way STOP. (Parking and Traffic Department)

(8/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3236.)

9/1/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

ADJOURNMENT

There being no further business the Board adjourned at the hour of 3:08 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

DOCUMENTS DEPT.

SEP 22 2006

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Tuesday, September 19, 2006 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisors Alioto-Pier, Daly, and Maxwell were noted absent.

Supervisors Daly and Maxwell were noted present at 2:07 p.m.

Supervisor Alioto-Pier was excused from attending today's meeting. (See Infra)

There was a quorum.

Supervisor Alioto-Pier Excused from Attendance

Supervisor Dufty, seconded by Supervisor Ammiano, moved to excuse Supervisor Alioto-Pier from attending today's meeting.. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

061103 **[Recurring FY 2006-2007 State grant funds to the Department of Public Health from the California Department of Health Services]**

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health (SFDPH) for FY 2006-2007. (Public Health Department)

ADOPTED

061104 **[Approval of the Ryan White Comprehensive AIDS Resources Emergency Act grant application]**
Supervisors Dufty, Mirkarimi

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to submit an application to the Health Resources Services Administration (HRSA) in order to continue to receive funding for the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act grant (Care Title I). The amount of this annual recurring grant for the next grant year (March 1, 2007 to February 28, 2008) is expected to be approximately $28 million. The projected due date of the application is September 28, 2006. (Public Health Department)

Supervisor Mirkarimi requested to be added as a co-sponsor.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

060589 **[Liquor License Transfer, 845 Market Street, Space 010]**

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Supervisor Ma, seconded by Supervisor Mirkarimi, moved that this Resolution be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendations of the Select Committee on Ending Gun and Gang Violence

060795 **[Boundaries of Police Department District Stations]**
Supervisor Mirkarimi

Ordinance adopting Section 2A.90 of the San Francisco Administrative Code to require that the boundaries of Police Department district stations be reviewed at least every ten years, to set factors for consideration, and to establish a process for adjusting station boundaries.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060700 [Police Foot Patrols]
Supervisor Mirkarimi

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern and Park Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved to rerefer this matter to Committee.
Supervisor Mirkarimi and Supervisor McGoldrick, rescinded its motion to refer this matter.
Supervisor Daly, seconded by Supervisor Ammiano, moved an amendment of the whole bearing new title.

San Francisco Police Chief Heather Fong addressed the Board members.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 5 - Ammiano, Daly, Mirkarimi, Peskin, Sandoval
Noes: 4 - Dufty, Elsbernd, Ma, Maxwell
Absent: 1 - McGoldrick
Excused: 1 - Alioto-Pier

Re-referred as amended.

Supervisor Mirkarimi, seconded by Supervisor Daly, moved that this Ordinance be RE-REFERRED. The motion carried by the following vote:

Ayes: 5 - Ammiano, Daly, Mirkarimi, Peskin, Sandoval
Noes: 4 - Dufty, Elsbernd, Ma, Maxwell
Absent: 1 - McGoldrick
Excused: 1 - Alioto-Pier

Supervisor Elsbernd moved to rescind the previous vote.
Motion failed for lack of a second.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061156 [Setting San Francisco's fiscal year 2006-2007 property tax rate and establishing pass-through rate for residential tenants]

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2007. (Controller)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061157 **[Setting San Francisco Unified School District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2007. (Controller)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061158 **[Setting San Francisco Community College District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2007. (Controller)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061159 **[Setting San Francisco Bay Area Rapid Transit District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2007. (Controller)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061168 **[FY 2006-2007 California Constitution Appropriations Limit]**

Supervisor Peskin

Resolution establishing the appropriations limit for Fiscal Year 2006-07 pursuant to California Constitution Article XIII B.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061207 **[Appropriating $4,295,259 in State Traffic Congestion Relief funds for road maintenance and reconstruction in the Department of Public Works for Fiscal Year 2006-2007]**

Supervisor Elsbernd

Ordinance appropriating $4,295,259 of Fiscal Year 2005-2006 and Fiscal Year 2006-2007 State Traffic Congestion Relief funds for the maintenance and reconstruction of public street and roads in the Department of Public Works for Fiscal Year 2006-2007.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061165 [Public Employment - Department of Public Health]
Supervisors Daly, Dufty, Ammiano

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) reflecting the addition of 4.0 Public Health Nurse positions in the Department of Public Health.

(Fiscal impact.)

Supervisor Ammiano requested to be added as a co-sponsor.
PASSED ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

061164 [Appropriating $394,476 in General Fund Reserve for 4 Public Health Nurses positions in the Department of Public Health for nine months of Fiscal Year 2006-2007]
Supervisors Daly, Dufty, Ammiano, Mirkarimi

Ordinance appropriating $276,476 in General Fund Reserve and $118,000 in Medi-Cal Targeted Case Management/Medi-Cal Administration Act revenue to support four Public Health Nurses in the Maternity and Child Health Program at the Department of Public Health for nine months of Fiscal Year 2006-2007.

(Fiscal impact.)

Supervisor Elsbernd, seconded by Supervisor Daly, moved to amend "by requiring a monthly report be provided to the Board of Supervisors on the status of the filling of 26 vacant positions in the Deparment." Motion to amend was carried without objection.

Supervisors Ammiano and Mirkarimi requested to be added as co-sponsors
Supervisor Elsbernd, seconded by Supervisor Daly, moved that this Ordinance be AMENDED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

061169 [Appropriating $54,807 of Department of Building Inspection Fund Balance for a Human Rights Commission Representative at the Human Rights Commission for Fiscal Year 2006-2007]
Supervisors Ma, Sandoval, Dufty

Ordinance appropriating $54,807 of Department of Building Inspection Fund Balance to support a Human Rights Commission Representative position at the Human Rights Commission for Fiscal Year 2006-2007 to provide fair housing services to monolingual Spanish speaking clients.

Supervisor Ma, seconded by Supervisor Maxwell, moved to amend by changing the funding source to the General Fund.

Supervisor Ma, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

061209 [Elimination of specified uses of the Tax on Occupancy of Parking Space in Parking Stations]
Supervisor Daly

Ordinance amending Article 9 of the Business and Tax Regulations Code, the Tax on Occupancy of Parking Space in Parking Stations, to amend Section 615 to eliminate specified uses of collections of the Tax on Occupancy of Parking Space in Parking Stations.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061067 [Extension of Agreement with PRWT Services, Inc.]

Resolution authorizing a two-year extension of the agreement between PRWT Services, Inc. and the City and County of San Francisco. (Municipal Transportation Agency)

(Fiscal impact.)

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendations of the Land Use and Economic Development Committee

050176 **[Amending the Planning Code to make all massage establishments conditional uses]**
Supervisors Ma, Maxwell, Sandoval

Ordinance amending Sections 218.1, 710.54, 711.54, 712.54, 713.54, 716.54, 717.54, 718.54, 719.54, 720.54, 721.54, 722.54, 723.54, 724.54, 725.54, 726.54, 727.54, 728.54, 729.54, 730.54, 810.54, 811.54, 812.54, 790.60 and 890.60 of the Planning Code to define massage establishments per Section 1900 of the Health Code, to provide that all massage establishments shall be permitted as conditional uses, to provide that non-incidental massage establishments must first obtain all required permits from the Health Department before seeking a conditional use permit, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisor McGoldrick dissented in committee.

Continued to October 24, 2006

Supervisor Ma, seconded by Supervisor Sandoval, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061208 **[Interim Zoning Requiring Conditional Use Authorization for Formula Retail Use in Showplace Square/Potrero Hill and Central Waterfront Areas]**
Supervisors Maxwell, Sandoval, McGoldrick

Resolution imposing interim zoning controls that require conditional use authorization for the establishment of a formula retail use, including requirements for certain Planning Commission findings and specified public notice, in the Showplace Square/ Potrero Hill and Central Waterfront areas, as specified herein, for a twelve (12) month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

ADOPTED by the following vote:

Ayes: 7 - Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Ma
Absent: 1 - Ammiano
Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

It was decided to to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests.

Supervisor Sandoval welcomed, introduced and presented Certificate of Honor to the Honorable Herman Sillas.

Supervisor Sandoval welcomed, introduced and presented a Certificate of Honors to several City and County of San Francisco Latino Employees.

ROLL CALL FOR INTRODUCTIONS

Supervisor Sandoval and Members of the Board of Supervisors remembered the following U.S. Soldiers of Hispanic/Latino Descent Who Have Died in the War in Iraq as of September 6, 2006.

Jose Antonio Gutierrez
Edward John Anguiano
Ruben Estrella-Soto
Johnny Villarreal Mata
Diego Rincon
Jose Angel Garibay
Jorge Alonso Gonzalez
Francisco Martinez Flores
Robert Marcus Rodriguez
Jesus Alberto Suarez del Solar
Fernando Padilla Ramirez
Diego Fernando Rincon
Aaron Joseph Contreras
George Andrew Fernandez
Erik Hernandez Silva
Duane Roy Rios
Andrew Julian Aviles
Jesus Antonio Medellin
Juan Guadalupe Garza Jr.
Ryan Augusto Tejeda
Jesus Angel Gonzalez
Gil Mercado
Joseph Acevedo
David Grames Sanchez
Jose Marin Dominguez
Armando Ariel Gonzalez
John Travis Rivero
Osbaldo Orozco
Joe Jesus Garza
Jose Gonzalez Rodriguez
Douglas Jose Marenco
Jose Perez
Richard Orengo
Tomas Sotelo Jr.
Melissa Valles
Jaror Puello Coronado
Ramon Reyes Torres
David Moreno
Hector Perez
Juan Serrano
Wilfredo Perez Jr.
Pablo Manzano
Joseph Camara
Joseph Guerrera
Richard Arriaga
Michael Andrade
Ana Laura Esparza Gutierrez
Tamarra J. Ramos
Richard Torres

Jose Casanova
Carlos Gonzalez
Ricardo Barraza
Robert Hernandez
Joseph Dueñas
Israel Devora García
Andres Aguilar Jr.
Felipe Sandoval Flores
Geovani Padilla Aleman
Juana Navarro
Joseph Blanco
Roland Calderon Ascencio
Stephen Joseph Perez
Pablo V. Mayorga
Bobby Mendez
Jose Gomez
Teodoro Torres
Benito Ramirez
Adam Lucas
J Adan García
Benjamín Mejía
Jose Velez
Michael Estrella
Salvador Guerrero
Kristian Menchaca
Jason Lopez Reyes
Robbie Mariano
Johnny Peralez Jr.
Radhames Camilo Matos
Michael Martinez
Raul Mercado
Raul Garcia
Carlos Arellano Pandura
Hugo Lopez
David Herrera
Felipe Barbosa
Marlon Bustamante
Jesse Zamora
Roberto Martinez Salazar
Sergio Mercedes Saenz
Javier Chavez Jr.
Felipe Garcia Villarreal
Anthony Garcia
Jessie Davila
Jay Collado
Ricky Salas Jr.
Kristen Marino Figueroa
Marco Silva
Jeremiah Santos
Leroy Segura Jr.
James Grijalva
Arthur Mora Jr.
Jose Rosario
Ramon Acevedo Aponte
Kenny Rojas
Mario Reyes

Justin Smith
Antonio Mendez Sanchez
David Mendez Ruiz
Ramon Mendoza Jr.
Alexis Roman Cruz
Ivan Vargas Alarcon
Christopher Alcozer
Miguel Terrazas
Denis Gallardo
Marc Delgado
Javier Villanueva
Robert Alexander Martinez
Milton Rivera-Vargas
Peter Navarro
Joseph Alan Lucas
William Lopez-Feliciano
Anthony Cardinal
Reyes Ramirez
Carlos Pineda
Rafael Carrillo Jr.
Jorge Luis Peña Romero
Efrain Sanchez Jr.
Milton Monzon Jr.
Christopher Talor
Ramon Villatoro Jr.
Ernesto Guerra
Michael Cifuentes
Seferino Reyna
Hernando Ríos
Ramon Gonzalez Cordova
Miguel Carrasquillo
Evenor Herrera
Jose Ruiz
Ramon Romero
Carlos Diaz
Joseph Martinez
Alfredo Silva
William Fernandez
Elijah Ortega
Roberto Baez
Sergio Escobar
Christopher León
Nazario Serrano
Frank Hernandez
Carlos Gil
Lizbeth Robles
Juan Solorio
Javier Garcia
Juan Venegas
Manuel Lopez
Aleina Ramirez-Gonzalez
Angelo Lozada Jr.
Juan de Dios Garcia Arana
Aaron Cepeda
Russel Verdugo

Daniel Ryan Varnado
Christopher Perez
Victor Cortes
Miguel Ramos
Linda Villar
Antonio Mendoza
Daniel Chavez
Mario Alberto Castillo
Jonathan Flores
Cesar Baez
Ramona Valdez
Sirlou Cuaresma
Joseph Heredia
Sergio Díaz Varela
Trinidad Martinez
Wilfredo Urbina
Pablo Calderon
Jose Guereca Jr.
Javier Obleas Prado
Hilario Lopez
Victor Martinez
Barry Meza
Jonathan Castro
Jose Rivera Serrano
Pablito Peña Briones Jr.
Oscar Sanchez
Julio Cisneros Alvarez
Juan Rodriguez Velasco
Jesus Fonseca
Jesus Leon Perez
Tony Hernandez
Hector Ramos
Kevin Luna
Orlando Bonilla
Stephen Castellano
Joseph Rodriguez
Virrueta Sanchez
Nicanor Alvarez
Jacob Lugo
Alexander Arredondo
Luis Perez
Edgar Lopez
Nicholas Perez
Michael Martinez
Cesar Machado Olmos
Joselito Villanueva
Oscar Martinez
Jaime Moreno
Victor Gonzalez
Jonathan Santos
William Salazar
Carlos Camacho-Rivera
Juan Segura

Romulo Jimenez
Gene Ramirez
Brian Medina
Jose Velez
Andres Perez
Rafael Peralta
Jose Ricardo Flores Mejia
Luis Figueroa
Paul Pabla
Todd Nunes
Michael Mora
Marcos Nolasco
Troy "Leon" Miranda
Rudy Salas
Jorge Molina Bautista
Richard Rosas
Benjamin Gonzalez
Rafael Reynosa Suarez
Melvin Mora Lopez
Pedro Contreras
Juan Lopez
Manuel Ceniceros
Michael Torres
Terry Holmes Ordonez
Jesse Martinez
Armando Hernandez
Juan Calderon
Yadir Reynoso
Moses Daniel Rocha
Mark Anthony Zapata
Geoffrey Perez
Omar Flores
Damien Montoya
Irving Hernandez Jr.
Andres Contreras
Jose Mora
Steven Acosta
Michael Paul Barrera
Joel Perez
Frances Vega
Paul Velazquez
Francisco Martinez
Jose Rivera
Linda Jimenez
Mark Vazquez
Genaro Acosta
Irving Medina
Ariel Rico
Christopher Rivera
Ernesto Blanco
Rey Cuervo
Dennis Corral
Roland Castro

Luis Moerno
Luan Cabral Bañuelos
Eliu Mier Sandoval
Armando Soriano
Jude Mariano
Andres Contreras
Manuel Holguín
Enrique Henry Sanchez

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the Middle East War
Male speaker; expressed concern with issues related to the treatment of patients at Laguna Honda Hospital
James Chaffee; expressed concern with issues relating to the SF Public Library
Walter; shared current and past events with the Board
Eugene Gordon, Jr.; expressed concern issues relating to the violation of human rights
Eulla Walters; expressed concern with the process of the naming of public facilities
Sylvia Johnson; expressed concern with issues relating to peace

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Supervisor Maxwell was noted absent at 3:55 p.m.

061271 [Accept-Expend Grant - Department of the Environment]
Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $12,100 from the Columbia Foundation to create an art installation that educates and informs residents about Climate Change and its potential effects on the City and County of San Francisco and provides information on solutions.

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061278 [Urging Touro University to reconsider their directive to revoke the charter of a gay and lesbian student group]
Supervisors Ammiano, Dufty, Mirkarimi

Resolution urging Touro University to reconsider their directive to revoke the charter for the Touro University Gay-Straight Alliance and commending the Touro University's College of Osteopathic Medicine, the Gay and Lesbian Medical Association and the American Medical Student Association for standing together with the Touro University Gay-Straight Alliance to protest Touro University's abolition of the school's several year old Gay-Straight Alliance.

Supervisor Mirkarimi requested to be added as a co-sponsor.

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061279 [Grant of Federal Funds - Municipal Transportation Agency]
Supervisor Dufty

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant of $90,000 in federal funds from the Metropolitan Transportation Commission to model and retime traffic signals along Market Street and King St./The Embarcadero.

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061280 **[Issuance and Sale of Revenue Bonds - San Francisco Waldorf School Association]**
Supervisor Elsbernd

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $14,000,000 for the financing and refinancing of the acquisition, construction, renovation, improvements and/or equipping of facilities of San Francisco Waldorf School Association and certain other matters relating thereto.

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061281 **[Commending The American Foundation for Suicide Prevention's Annual "Out of the Darkness" Community Walk Fundraiser]**
Supervisor Elsbernd

Resolution commending The American Foundation for Suicide Prevention's Annual “Out of the Darkness” Community Walk Fundraiser.

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061282 **[Accept-Expend Private Foundation Grant - Back on Track Program]**
Supervisor Maxwell

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $25,000 from the Metta Fund Health Foundation for a program entitled “Back on Track” for fiscal year 2006/2007.

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061283 **[Accept and Expend Gift-in-Place to the Recreation and Park Department]**
Supervisors Ma, Elsbernd

Resolution accepting and expending a second Gift-in-place, valued at up to $850,000 from the Stern Grove Festival Association to the Recreation and Park Department to fund construction of improvements to the north hillside and entry plaza at the Rhoda Goldman Concert Meadow.

Supervisor Elsbernd requested to be added as a co-sponsor.

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061284 [Accept and Expend gift to the Recreation and Park Department]
Supervisor Ma

Resolution accepting and expending a monetary gift of $35,000 from the South Sunset Playground Campaign through the Neighborhood Parks Council to the Recreation and Park Department for the replacement of the children's play equipment and new security lighting at South Sunset Playground.

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061285 [Accept and Expend a monetary and in-kind gift to the Recreation and Park Department]
Supervisor Ma

Resolution accepting and expending a monetary and in-kind gift valued up to $500,000 from the San Francisco Botanical Garden Society to the Recreation and Park Department for the renovation of the primary pedestrian pathways that run throughout the garden.

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061286 [Opposing HR 4761 and HR 4318, relating to offshore oil drilling]
Supervisor Ma

Resolution urging the federal government to extend the offshore oil and gas leasing moratorium and opposing federal efforts to expand offshore oil drilling, including HR 4761 and HR 4318.

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061287 [Alison Streeter Day]
Supervisor Peskin

Resolution declaring September 30, 2006, Alison Streeter Day in San Francisco.

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061299 [Final Map - 355 King Street]

Motion approving Final Map 3620, a 263 Unit Mixed – Use Condominium Project, located at 355 King Street being a subdivision of Lot 6 in Assessors Block No. 8705 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

(DPW Order No. 176,292; District 6.)

APPROVED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Daly, moved. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

061308 **[Commending Alan Wayne]**
Supervisor Dufty

Resolution commending Alan Wayne for more than 20 years of work with United Airlines and the San Francisco International Airport and wishing him the best of luck with his retirement after more than 39 years of work with the Airline industry.

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Alioto-Pier

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

061297 **[Public Utilities Commission Short-Term Indebtedness]**

Ordinance amending Sections 43.5.1 through 43.5.4, inclusive, of the San Francisco Administrative Code to authorize the Director of Public Finance to designate an alternate, to implement the provisions of Article VIIIB of the Charter and to make other clarifying revisions. (Public Utilities Commission)

9/11/06, RECEIVED AND ASSIGNED to Rules Committee.

9/20/06, TRANSFERRED to Budget and Finance Committee.

061298 **[Authorization for the Public Utilities Commission to issue Commercial Paper Notes (Wastewater Series) in an aggregate principal amount not exceeding $150,000,000]**

Ordinance approving the issuance by the Public Utilities Commission of its Commercial Paper Notes (Wastewater Series) in an aggregate principal amount not exceeding $150,000,000 pursuant to Article VIIIB of the City Charter and Article V of Chapter 43 of Part I of the San Francisco Administrative Code, as amended, for the purpose of reconstructing and improving certain capital improvements related to the Wastewater Enterprise; approving the form and authorizing the execution of a credit facility, an issuing and paying agent agreement, one or more dealer agreements, an offering memorandum and other documents relating to such notes; approving the maximum interest rate on such notes; and related matters. (Public Utilities Commission)

9/11/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061300 **[Settlement of Lawsuits - Tran, Mansour and Le, et al., v. City and County of San Francisco, et al.]**

Ordinance authorizing settlement of the lawsuits filed by Minh Tran, Thuba Tran, Thu Nguyen, Tarek Mansour, Khaled Mansour, Quoc Le, and Cuong Le against the City and County of San Francisco for $1,875,000.00; the lawsuits were filed on April 22, 2004 in San Francisco Superior Court, Case Nos. 430764, 430765 and 430766; entitled Tran, Mansour and Le, et al., v. City and County of San Francisco, et al; other material terms of settlement are Co-defendants to pay $5,565,000.00 and Caltrans to install temporary barriers and permanently fix condition that caused accident. (City Attorney)

9/12/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:10 p.m.

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/26/06

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

Tuesday, September 26, 2006 2:00 PM

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San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisors Alioto-Pier and Sandoval were noted absent.

Supervisor Sandoval was noted present at 2:08 p.m.

Supervisor Alioto-Pier was excused from attending today's meeting. (See Infra)

There was a quorum.

Supervisor Alioto-Pier Excused From Attendance

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to excuse Supervisor Alioto-Pier from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Alioto-Pier

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to approve the August 15, 2006 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Alioto-Pier

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

061156 **[Setting San Francisco's fiscal year 2006-2007 property tax rate and establishing pass-through rate for residential tenants]**

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2007. (Controller)

FINALLY PASSED

061157 **[Setting San Francisco Unified School District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2007. (Controller)

FINALLY PASSED

061158 **[Setting San Francisco Community College District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2007. (Controller)

FINALLY PASSED

061159 **[Setting San Francisco Bay Area Rapid Transit District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2007. (Controller)

FINALLY PASSED

061207 **[Appropriating $4,295,259 in State Traffic Congestion Relief funds for road maintenance and reconstruction in the Department of Public Works for Fiscal Year 2006-2007]**

Supervisor Elsbernd

Ordinance appropriating $4,295,259 of Fiscal Year 2005-2006 and Fiscal Year 2006-2007 State Traffic Congestion Relief funds for the maintenance and reconstruction of public street and roads in the Department of Public Works for Fiscal Year 2006-2007.

(Fiscal impact.)

FINALLY PASSED

061209 **[Elimination of specified uses of the Tax on Occupancy of Parking Space in Parking Stations]**

Supervisor Daly

Ordinance amending Article 9 of the Business and Tax Regulations Code, the Tax on Occupancy of Parking Space in Parking Stations, to amend Section 615 to eliminate specified uses of collections of the Tax on Occupancy of Parking Space in Parking Stations.

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

060899 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ)]**

Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $158,000 from the Project Safe Neighborhoods (PSN), Department of Justice (DOJ), Bureau of Justice Assistance (BJA), for the purpose of supporting activities to reduce the gun crime problem and violent activity associated with gun crime in San Francisco.

ADOPTED

060970 **[Liquor License, 244 Taylor Street]**

Resolution determining that the issuance of a Type 40 (on-sale beer) alcoholic beverage license to Joel Martinez, for The Comedy Station located at 244 Taylor Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

ADOPTED

061029 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Charles J. Brenham Street, west side, between Market and McAllister Streets.

(7/13/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3215.)

ADOPTED

061115 **[Accept and Expend Grant - Sheriff's Department program providing jail diversion opportunities involving integrated mental health services to incarcerated women]**

Supervisor Ma

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $397,934 from the Substance Abuse and Mental Health Services Administration for providing jail diversion opportunities involving integrated mental health and substance abuse treatment for incarcerated women.

ADOPTED

061129 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Rhode Island Street, both sides, between 25th and 26th Streets (1400).

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Marina Boulevard, north side, from Laguna Street to 20 feet westerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Irving Street, north side, from 9th Avenue to 24 feet easterly (removes one parking meter space).

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Eddy Street, both sides, between Franklin Street and Van Ness Avenue (800 block)

1-HOUR PARKING LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
2-HOUR PARKING LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Eddy Street, both sides, between Franklin and Gough Streets (900 block)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Sickles Avenue, south side, from Alemany Boulevard to 120 feet westerly.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Bryant Street, both sides, between 20th and 21st Streets (2200 block). (Parking and Traffic Department)

(6/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3222.)

ADOPTED

061130 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations at various streets.

NO TURN ON RED - ESTABLISH
Jordan Avenue, northbound, at California Street and southbound Cherry Street at California Street.

RIGHT LANE MUST TURN RIGHT - RESCIND
Pine Street, westbound, at Kearny Street.

NO LEFT TURN - ESTABLISH
San Bruno Avenue, southbound, the intersection of Arleta Avenue and Bayshore Boulevard.

NO LEFT TURN - ESTABLISH
San Bruno Avenue, northbound, at Silliman Street

BICYCLE LANES - ESTABLISH
Mississippi Street, both sides, between Mariposa and 16th Streets. (Parking and Traffic Department)

(6/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3222.)

ADOPTED

061219 **[Residential Parking Area "J" on the 100 block of Irving Street, excluding 145 Irving Street]**
Supervisor Mirkarimi

Resolution establishing Residential Parking Area "J" on the 100 block of Irving Street, excluding 145 Irving Street.

ADOPTED

061268 **[Accept-Expend State Grant - Recreation and Parks Department]**
Supervisor Ma

Resolution authorizing the Recreation and Parks Department to accept and expend a Recreational Trails Program grant in the total amount of $220,000 from the State of California Parks and Recreation Department under the Transportation Equity Act for the 21st Century for the Pine Lake Trail Improvement Project.

ADOPTED

Recommendations of the Rules Committee

060973 **[Settlement of Lawsuit - Assessment Appeals Board]**

Ordinance authorizing settlement of administrative writ petition filed by the City and County of San Francisco challenging the Assessment Appeals Board's Property Tax Assessment for the Giants' baseball park at China Basin for the 2001/02, 2002/03 and 2003/04 tax years contingent upon approval of roll values by the Assessment Appeals Board and payment of an amount that reflects the reduced roll values, including interest; City filed its writ petition on January 19, 2006 in San Francisco Superior Court, entitled City and County of San Francisco v. Assessment Appeals Board No. 1, Case No. 506010. (City Attorney)

PASSED, ON FIRST READING

061154 **[Settlement of Lawsuit - Stephen N. Farac v. City and County of San Francisco, et al.]**
Ordinance authorizing settlement of the matter of Stephen Farac v. City and County of San Francisco for $50,000. The lawsuit was filed on April 28, 2005, in San Francisco Superior Court, Case No. 440-820; entitled Stephen N. Farac v. City and County of San Francisco, and Does 1 Through 20, Inclusive. (City Attorney)

PASSED, ON FIRST READING

061171 **[Settlement of Lawsuit - Department of Fair Employment and Housing v. City and County of San Francisco, et al]**
Ordinance authorizing settlement of the lawsuit filed by Department of Fair Employment and Housing on behalf of Real Party in Interest Angela Martin against the City and County of San Francisco for $160,000.00; the lawsuit was filed on August 4, 2005, in San Francisco Superior Court, Case No. 443742; entitled Department of Fair Employment and Housing v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061228 **[Settlement of Lawsuit - John and Judith Bovio, et al., v. City and County of San Francisco, et al]**
Ordinance authorizing settlement of the lawsuit filed by John and Judith Bovio against the City and County of San Francisco for $85,000; the lawsuit was filed on December 8, 2004 in San Francisco Superior Court, Case No. 436-946; entitled John and Judith Bovio, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061247 **[Appointment - Pedestrian Safety Advisory Committee]**
Resolution appointing Dan Brook, term ending March 28, 2007, and David Canevari, term ending March 28, 2008, to the Pedestrian Safety Advisory Committee.

Dan Brook, succeeding Aileen Carrigan, resigned, seat 10, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2007.
Brian Canevari, succeeding Anwar Mai, term expired, seat 11, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2008.

ADOPTED

061248 **[Appointment - Veterans Affairs Commission]**
Resolution appointing James Guglielmoni, term ending January 31, 2010, to the Veterans Affairs Commission.

James Guglielmoni, succeeding Brian Zweir, term expired, seat 10, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2010.

ADOPTED

061249 **[Appointment - San Francisco Health Authority]**

Resolution appointing Gene Marie O'Connell, John Gressman, Randall Low, Dale Butler, Tracey Faulkner, Steve Fields, and Sharon Kotabe, terms ending January 15, 2009, to the San Francisco Health Authority; residency requirement waived.

Gene Marie O'Connell, succeeding herself, term expired, seat 3, must be senior manager of San Francisco General Hospital, for the unexpired portion of a three-year term ending January 15, 2009.
John Gressman, succeeding himself, term expired, seat 5, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2009.
Randall Low, succeeding himself, term expired, seat 7, must be physician, and nominee of SF Medical Society, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2009.
Dale Butler, succeeding himself, term expired, seat 9, must be nominee of San Francisco Labor Council or any successor organization, for the unexpired portion of a three-year term ending January 15, 2009.
Tracey Faulkner, succeeding herself, term expired, seat 11, must be a nominee of Health Authority Beneficiary Advisory Committee, at least one of whom shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for the unexpired portion of a three-year term ending January 15, 2009.
Steve Fields, succeeding himself, term expired, seat 12, must be a person knowledgeable in matters relating to either traditional safety net providers, health care organizations, the Medi-Cal program, or the activities of the health authority, nominated by the program committee of the health committee, for the unexpired portion of a three-year term ending January 15, 2009.
Sharon Kotabe, succeeding Stuart Heard, term expired, seat 14, must be nominee of San Francisco Pharmacy Leadership Group, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2009.

ADOPTED

Recommendation of the Select Committee on Ending Gun and Gang Violence

060795 **[Boundaries of Police Department District Stations]**
Supervisor Mirkarimi

Ordinance adopting Section 2A.90 of the San Francisco Administrative Code to require that the boundaries of Police Department district stations be reviewed at least every ten years, to set factors for consideration, and to establish a process for adjusting station boundaries.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

061164 [Appropriating $394,476 for four Public Health Nurses in the Department of Public Health for nine months of Fiscal Year 2006-2007]
Supervisors Daly, Dufty, Ammiano, Mirkarimi

Ordinance appropriating $276,476 in General Fund Reserve and $118,000 in Medi-Cal Targeted Case Management/Medi-Cal Administration Act revenue to support four Public Health Nurses in the Maternity and Child Health Program at the Department of Public Health for nine months of Fiscal Year 2006-2007.

(Fiscal impact.)

FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

061165 [Public Employment - Department of Public Health]
Supervisors Daly, Dufty, Ammiano

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) reflecting the addition of 4.0 Public Health Nurse positions in the Department of Public Health.

(Fiscal impact.)

FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano. Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

061169 [Appropriating $54,807 of General Fund Reserve for a Human Rights Commission Representative at the Human Rights Commission for Fiscal Year 2006-2007]
Supervisors Ma, Sandoval, Dufty

Ordinance appropriating $54,807 of General Fund Reserve Fund Balance to support a Human Rights Commission Representative position at the Human Rights Commission for Fiscal Year 2006-2007 to provide fair housing services to monolingual Spanish speaking clients.

Supervisor Mirkarimi requested to be added as a co-sponsor.

FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061030 **[Regulating Street Artists - Compensation of Advisory Committee]**

Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2402 to allow members of the Advisory Committee of Street Artists and Craftmen Examiners to be reimbursed for their reasonable travel expenses traveling to and from Committee meetings, Street Artist screenings, and other Advisory Committee activities. (Arts Commission)

(Supervisor Daly dissented in committee)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Daly, Elsbernd
Excused: 1 - Alioto-Pier

061272 **[Sale of City Property - 425 Mason Street]**

Supervisor Peskin

Ordinance ordering the sale at public auction of City-owned property located at 425 Mason Street; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061170 **[Authorizing the Department of Telecommunications and Information Services to amend an agreement with International Business Machines Corporation to extend the term of the agreement to twelve years]**

Resolution authorizing the Department of Telecommunications and Information Services to retroactively enter into the Second Amendment of an agreement between the City and County of San Francisco ("City") and International Business Machines Corporation ("IBM") to extend the term of the agreement to twelve years. (Telecommunications and Information Services)

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061225 [Disposition and Development Agreement and Ground Lease for the Old Mint]
Supervisors Peskin, Dufty

Resolution approving and authorizing a disposition and development agreement and lease for the rehabilitation and use of the Old Mint by the San Francisco Museum and Historical Society; approving the Negative Declaration; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the transactions contemplated are consistent with the City's General Plan and Eight Priority Policies of City's Planning Code; and authorizing the City Administrator, or designee, to execute documents, make certain modifications and take certain actions in furtherance of this resolution.

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061264 [Multifamily Housing Revenue Bonds - 650 Eddy Street (Arnett Watson Apartments)]
Mayor, Supervisor Daly

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $19,500,000 for 650 Eddy Street (Arnett Watson Apartments); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $97,500 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $19,500,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061277 [Open Space Fund Lease Revenue Bond Disclosure]

Resolution approving the form and authorizing the distribution of preliminary official statements relating to the issuance of lease revenue bonds payable from the Park, Recreation and Open Space Fund and authorizing the preparation, execution and delivery of final official statements; ratifying the approvals and terms and conditions of a previous ordinance; and related matters.

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendation of the City Operations and Neighborhood Services Committee

061128 **[Updating speed limit provisions on King Street and on the Embarcadero]**

Ordinance amending Section 175.20 of the Traffic Code, governing the speed limit on a portion of The Embarcadero, to reflect that the Embarcadero terminates at King Street, and amending Section 176.39 of the Traffic Code to extend the speed limit change on King Street from 5th Street to The Embarcadero. (Municipal Transportation Agency)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendation of the Government Audit and Oversight Committee

061116 **[Department of Emergency Management; Divisions of Emergency Communications and of Emergency Services; qualifications for Director and Deputy Directors]**

Supervisors Alioto-Pier, Peskin

Ordinance amending the San Francisco Administrative Code, by amending Section 2A.200, to re-name the "Department of Emergency Communications" as the "Department of Emergency Management," establish Divisions of Emergency Communications and of Emergency Services within the Department, and set qualifications for the Director and Deputy Directors, and by amending Section 7.7, to substitute the Director of the Department of Emergency Management for the Director of Emergency Services.

Supervisor Peskin requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendations of the Land Use and Economic Development Committee

061032 **[Mission Bay North Commons at Park P17 Improvements]**

Supervisor Daly

Ordinance designating a portion of State Trust Parcel adjacent to Park P17 for public right-of-way purposes; approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way Terry A. Francois Boulevard; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public use and accepting for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 176,148 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Supervisor Daly requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061033 [Mission Bay - Parks NP1 & NP2 Improvements]
Supervisor Daly

Ordinance designating a portion of State Trust Parcel 1 lying next to Channel for public open space and park purposes; naming the new park "Mission Creek Park"; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 176,149 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Supervisor Daly requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061183 [Landlord passthrough to residential tenants, 50% of property tax increase for general obligation bonds: Controller's explanation of proposed bonds; passthroughs authorized in CCSF bonds; passthroughs for School and Community College District bonds]
Supervisors Ammiano, Alioto-Pier, Elsbernd, Dufty, McGoldrick, Ma, Maxwell, Mirkarimi

Ordinance: (1) amending the San Francisco Municipal Elections Code by amending Section 520, to require that the Controller's financial analysis for a general obligation bond proposal include an explanation of the 50-percent passthrough of the change in a landlord's property tax under the proposed bond measure; (2) amending the San Francisco administrative Code by adding Section 2.40, to require that a proposal for bonded indebtedness of the City and county of San Francisco include a provision authorizing the 50-percent passthrough of the change in a landlord's property tax provided in Administrative Code Section 37.3(a)(6); and, (3) amending San Francisco Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.2(q) and 37.3 (a)(6) to provide that landlords may pass through to tenants 50-percent of the change in the landlord's property tax resulting from the repayment of San Francisco Unified School District or San Francisco Community College District general obligation bonds approved by the voters after November 1, 2006.

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061069 [Planning Code—Use of Public Sidewalk Space by Nonconforming Uses]
Supervisors Mirkarimi, Maxwell

Ordinance amending the San Francisco Planning Code by amending Sections 186 and 186.1 to allow certain nonconforming uses to occupy public sidewalk space with tables and chairs, when otherwise permitted; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisor Maxwell requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061212 **[Board of Appeals: Legal Representation for Planning and Building Departments]**
Supervisor McGoldrick

Ordinance amending the San Francisco Business and Tax Regulations Code by adding Section 11(a) to establish a procedure for the City Attorney to provide legal representation for staff of the Planning Department and Department of Building Inspection appearing at hearings of the Board of Appeals with respect to certain matters.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061077 **[Rent Ordinance: Evictions involving school-age children; Findings]**
Supervisors McGoldrick, Mirkarimi

Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) by amending Section 37.6(j) to identify and report data on evictions involving school-age children, include data on evictions during the school term; Findings.

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

061076 **[Urging SFUSD to track student mobility caused by residential evictions and report its findings, in an effort to help ameliorate the potential negative effects on students' school performance.]**
Supervisor McGoldrick

Resolution urging the San Francisco Unified School District to track student mobility caused by residential evictions, and to report its findings to the Board of Supervisors so that the Board can consider possible legislative measures to help address the negative effects on students' school performance.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendation of the Rules Committee

061246 **[Appointment - Mental Health Board]**
Resolution appointing Supervisor Fiona Ma, term ending January 31, 2007, to the Mental Health Board.

Fiona Ma, succeeding Bevan Dufty, resigned, seat 17, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending January 31, 2007.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

061227 **[Settlement of Lawsuit - CCSF, et al. v. Kam Kong Tang and Kai Yuen Ng]**

Ordinance authorizing the settlement of a lawsuit filed by the City and County of San Francisco against Kam Kong Tang and Kai Yuen Ng, former part owners of the King Tin Restaurant, for $85,000.00; the lawsuit was filed on August 3, 2005 for violation of the City's Minimum Wage Ordinance, in San Francisco Superior Court, Case No. 433685, entitled City and County of San Francisco, et al. v. Kam Kong Tang and Kai Yuen Ng. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

061300 **[Settlement of Lawsuits - Tran, Mansour and Le, et al., v. City and County of San Francisco, et al.]**

Ordinance authorizing settlement of the lawsuits filed by Minh Tran, Thuba Tran, Thu Nguyen, Tarek Mansour, Khaled Mansour, Quoc Le, and Cuong Le against the City and County of San Francisco for $1,875,000.00; the lawsuits were filed on April 22, 2004 in San Francisco Superior Court, Case Nos. 430764, 430765 and 430766; entitled Tran, Mansour and Le, et al., v. City and County of San Francisco, et al; other material terms of settlement are Co-defendants to pay $5,565,000.00 and Caltrans to install temporary barriers and permanently fix condition that caused accident. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the Middle East war
Walter; shared memorabilia with Board members
Eugene Gordon, Jr.; expressed concern with issues relating to the violation of human rights
Eula Walters; expressed concern with issues relating to the naming of a Ferry Park to Sue Bierman
John di Donna; congratulated Barbara Reilly on her retirement after 39 years of City and County of San Francisco public service
James Chaffee; expressed concern with issues relating to the SF Public Library
Sylvia Johnson; expressed concern with general issues

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061310 **[Committee of the Whole - October 3, 2006 at 3:00 p.m. - Formation of a community facilities district in connection with the Mint Plaza Area]**
Supervisor Daly

Motion to sit as a Committee of the Whole on October 3, 2006 at 3:00 p.m. to accept public testimony regarding the potential recommendation for approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Mint Plaza Area.

APPROVED

061305 **[Contract funds to support research on HIV/AIDS in under-researched populations]**
Supervisor Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to retroactively enter into a continuation agreement with the San Mateo Medical Center (SMMC), the primary contractor, and expend funds in the amount of $110,374 to establish an HIV/AIDS Research Center in the Bay Area and approval of a sole source contract with the University of California, San Francisco (UCSF), Department of Infectious Diseases in the amount of $53,760 for the period of July 1, 2006 to June 30, 2007.

ADOPTED

061316 **[Urging the restoration of cuts to the US Department of Housing and Urban Development]**
Mayor, Supervisors Ammiano, Peskin

Resolution urging the United States Congress to restore cuts in the budget of the United States Department of Housing and Urban Development.

Supervisor Peskin requested to be added as a co-sponsor.
ADOPTED

061317 **[Supporting Proposition 1D]**
Supervisor Ammiano

Resolution supporting Proposition 1D on the November 7, 2006 ballot.

ADOPTED

061318 **[Celebrating the 100th Anniversary of Japantown in the Western Addition]**
Supervisors Mirkarimi, Ma

Resolution celebrating the 100th Anniversary of Japantown in the Western Addition.

Supervisor Ma requested to be added as a co-sponsor.
ADOPTED

061319 **[Commending the United Nations' Declaration of September 21st as the International Day of Peace]**
Supervisors Mirkarimi, Elsbernd

Resolution commending the United Nations' Declaration of September 21st International Day of Peace and calling for all San Franciscans to work for peace both at home and abroad.

Supervisor Elsbernd requested to be added as a co-sponsor.
ADOPTED

061321 **[Support for efforts to launch private, nonprofit anonymous crime information program in San Francisco]**
Supervisor Alioto-Pier

Resolution supporting the efforts of the First Responder Foundation in its plans to develop and launch a private, nonprofit anonymous crime information program in San Francisco.

ADOPTED

061322 **[Commending Congregation Beth Sholom and declaring September 10, 2006 "Congregation Beth Sholom Day" in San Francisco]**
Supervisors McGoldrick, Ma

Resolution commending Congregation Beth Sholom and declaring September 10, 2006 "Congregation Beth Sholom Day" in San Francisco.

Supervisor Ma requested to be added as a co-sponsor.
ADOPTED

061323 **[Supporting Lieutenant Ehren Watada's public statements expressing legal and moral objections to the war in Iraq and urging the end to court martial proceedings against him]**

Supervisor McGoldrick

Resolution supporting Lieutenant Ehren Watada's public statements expressing legal and moral objections to the war in Iraq and urging the end to court martial proceedings against him.

ADOPTED

061325 **[Accept-expend State Grant Funds available under the Department of Homeland Security, Federal Emergency Management Agency for Fiscal Year 2005 Pre-disaster Mitigation Grant Program to fund the Moscone Recreation Center Project]**

Supervisor Alioto-Pier

Resolution authorizing the San Francisco Recreation and Parks Department to accept and expend a grant in the amount of $2,067,176 in FY 2005 Pre-Disaster Mitigation Funds from the Federal Emergency Management Agency, administered by the California Office of Emergency Services, for seismic improvements to the Moscone Recreation Center Pre-Disaster Mitigation Project.

(Fiscal impact.)

ADOPTED

061291 **[Final Map - 548 Brannan Street]**

Motion approving Final Map 2575, a 34 Unit Live Work Condominium Project, located at 548 Brannan Street being a subdivision of Lot 41 in Assessors Block No. 3777 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,308; District 6.)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Severed from the Without Reference to Committee Agenda

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

061324 **[Commending Barbara Reilly]**

Supervisors Peskin, Dufty, Elsbernd, Ma

Resolution commending Barbara Reilly on the occasion of her retirement from the Office of the Clerk of the Board of Supervisors after 39 years of service to the City and County of San Francisco.

Supervisor Dufty, Elsbernd, Ma requested to be added as co-sponsors.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisor Mirkarimi requested that this matter be severed so that it might be considered separately.

061326 [Declaring September 2006 as Reentry Month]
Supervisor Mirkarimi

Resolution declaring the month of September 2006 as Reentry month in the City and County of San Francisco.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

061289 **[Gift - Private - Department of Public Health, Laguna Honda Hospital & Rehabilitation Center]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), Laguna Honda Hospital & Rehabilitation Center (LHH) to accept and expend a monetary gift donation to Laguna Honda Hospital in the amount of $50,000 from the Mildred Oliva Trust, through Shirley A. Reece, Trustee, for the exclusive benefit of the residents of the LHH Hospice Unit. (Public Health Department)

9/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061290 **[Gift of Equipment to Fire Department]**

Resolution accepting a gift of equipment to the Fire Department from the Fireman's Fund Insurance Company as follows: (1) an ambulance simulator and a training mannequin, with a combined value of approximately $37,200; and (2) equipment for the Fire Boat valued at approximately $10,000.

9/13/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061343 **[Confirmation of Mayor's Appointment - Port Commission]**

Mayor

Resolution confirming the appointment of Rodney Fong to the San Francisco Port Commission, term ending May 1, 2010.

9/19/06, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests that the item be heard on October 5, 2006 meeting.

061344 **[Confirmation of Mayor's Appointment - Treasure Island Development Authority]**

Mayor

Resolution confirming the appointment of Owen Stephens to the Treasure Island Development Authority Board of Directors, term ending April 28, 2010.

9/19/06, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests that the item be heard on September 28, 2006 meeting.

061345 **[Confirmation of Mayor's Reappointment - Treasure Island Development Authority]**

Mayor

Resolution confirming the reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, term ending April 28, 2010.

9/19/06, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests that the item be heard on September 28, 2006 meeting.

ADJOURNMENT

There being no further the Board adjourned at the hour of 3:23 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

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Tuesday, October 3, 2006 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to approve the September 12, 2006 Board Meeting Mintues. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

061272 [Sale of City Property - 425 Mason Street]
Supervisor Peskin

Ordinance ordering the sale at public auction of City-owned property located at 425 Mason Street; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

061128 [Updating speed limit provisions on King Street and on the Embarcadero]

Ordinance amending Section 175.20 of the Traffic Code, governing the speed limit on a portion of The Embarcadero, to reflect that the Embarcadero terminates at King Street, and amending Section 176.39 of the Traffic Code to extend the speed limit change on King Street from 5th Street to The Embarcadero. (Municipal Transportation Agency)

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

061116 [Department of Emergency Management; Divisions of Emergency Communications and of Emergency Services; qualifications for Director and Deputy Directors]
Supervisors Alioto-Pier, Peskin

Ordinance amending the San Francisco Administrative Code, by amending Section 2A.200, to re-name the "Department of Emergency Communications" as the "Department of Emergency Management," establish Divisions of Emergency Communications and of Emergency Services within the Department, and set qualifications for the Director and Deputy Directors, and by amending Section 7.7, to substitute the Director of the Department of Emergency Management for the Director of Emergency Services.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

061032 [Mission Bay North Commons at Park P17 Improvements]
Supervisor Daly

Ordinance designating a portion of State Trust Parcel adjacent to Park P17 for public right-of-way purposes; approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way Terry A. Francois Boulevard; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public use and accepting for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 176,148 and authorizing official acts in connection with this Ordinance. (Public Works Department)

FINALLY PASSED

061033 [Mission Bay - Parks NP1 & NP2 Improvements]
Supervisor Daly

Ordinance designating a portion of State Trust Parcel 1 lying next to Channel for public open space and park purposes; naming the new park "Mission Creek Park"; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 176,149 and authorizing official acts in connection with this Ordinance. (Public Works Department)

FINALLY PASSED

061069 [Planning Code—Use of Public Sidewalk Space by Nonconforming Uses]
Supervisors Mirkarimi, Maxwell, Alioto-Pier

Ordinance amending the San Francisco Planning Code by amending Sections 186 and 186.1 to allow certain nonconforming uses to occupy public sidewalk space with tables and chairs, when otherwise permitted; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

FINALLY PASSED

061077 [Rent Ordinance: Evictions involving school-age children; Findings]
Supervisors McGoldrick, Mirkarimi, Ammiano

Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) by amending Section 37.6(j) to identify and report data on evictions involving school-age children, include data on evictions during the school term; Findings.

FINALLY PASSED

061183 [Landlord passthrough to residential tenants, 50% of property tax increase for general obligation bonds: Controller's explanation of proposed bonds; passthroughs authorized in CCSF bonds; passthroughs for School and Community College District bonds]
Supervisors Ammiano, Alioto-Pier, Elsbernd, Dufty, McGoldrick, Ma, Maxwell, Mirkarimi

Ordinance: (1) amending the San Francisco Municipal Elections Code by amending Section 520, to require that the Controller's financial analysis for a general obligation bond proposal include an explanation of the 50-percent passthrough of the change in a landlord's property tax under the proposed bond measure; (2) amending the San Francisco administrative Code by adding Section 2.40, to require that a proposal for bonded indebtedness of the City and county of San Francisco include a provision authorizing the 50-percent passthrough of the change in a landlord's property tax provided in Administrative Code Section 37.3(a)(6); and, (3) amending San Francisco Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.2(q) and 37.3 (a)(6) to provide that landlords may pass through to tenants 50-percent of the change in the landlord's property tax resulting from the repayment of San Francisco Unified School District or San Francisco Community College District general obligation bonds approved by the voters after November 1, 2006.

FINALLY PASSED

061212 [Board of Appeals: Legal Representation for Planning and Building Departments]
Supervisor McGoldrick

Ordinance amending the San Francisco Business and Tax Regulations Code by adding Section 11(a) to establish a procedure for the City Attorney to provide legal representation for staff of the Planning Department and Department of Building Inspection appearing at hearings of the Board of Appeals with respect to certain matters.

FINALLY PASSED

061202 **[Assignment of the Emporium Street Flower Market adjacent to 835 Market Street]**
Supervisor Peskin

Resolution approving the assignment of the street flower market permit identified as "The Emporium Street Flower Market on the south sidewalk of Market Street facing the location of 835 Market Street" to a living member of the Permittee's family pursuant to Article 5 Section 161(I) of the Public Works Code.

ADOPTED

061204 **[Assignment of Street Flower Market at Stockton and Geary Streets]**
Supervisor Peskin

Resolution approving the assignment of the street flower market permit identified as "The East Sidewalk of Stockton Street within 100 feet south of the southerly of Geary Street to a living member of the Permittee 's family pursuant to Article 5 Section 161 (la) of the Public Works Code.

ADOPTED

Recommendations of the Rules Committee

060973 **[Settlement of Lawsuit - Assessment Appeals Board]**
Ordinance authorizing settlement of administrative writ petition filed by the City and County of San Francisco challenging the Assessment Appeals Board's Property Tax Assessment for the Giants' baseball park at China Basin for the 2001/02, 2002/03 and 2003/04 tax years contingent upon approval of roll values by the Assessment Appeals Board and payment of an amount that reflects the reduced roll values, including interest; City filed its writ petition on January 19, 2006 in San Francisco Superior Court, entitled City and County of San Francisco v. Assessment Appeals Board No. 1, Case No. 506010. (City Attorney)

FINALLY PASSED

061300 **[Settlement of Lawsuits - Tran, Mansour and Le, et al., v. City and County of San Francisco, et al.]**
Ordinance authorizing settlement of the lawsuits filed by Minh Tran, Thuba Tran, Thu Nguyen, Tarek Mansour, Khaled Mansour, Quoc Le, and Cuong Le against the City and County of San Francisco for $1,875,000.00; the lawsuits were filed on April 22, 2004 in San Francisco Superior Court, Case Nos. 430764, 430765 and 430766; entitled Tran, Mansour and Le, et al., v. City and County of San Francisco, et al; other material terms of settlement are Co-defendants to pay $5,565,000.00 and Caltrans to install temporary barriers and permanently fix condition that caused accident. (City Attorney)

FINALLY PASSED

061302 **[Appointment - Immigrant Rights Commission]**
Resolution appointing Solomon Jones, term ending June 6, 2008, Angus McCarthy, term ending June 6, 2007, and Elahe Enssani, term ending June 6, 2008, to the Immigrant Rights Commission.

Solomon Jones, succeeding himself, term expired, seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2008.
Angus McCarthy, succeeding Svetlana Kaff, seat 7, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.
Elahe Enssani, succeeding herself, term expired, seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2008.

ADOPTED

061154 **[Settlement of Lawsuit - Stephen N. Farac v. City and County of San Francisco, et al.]**
Ordinance authorizing settlement of the matter of Stephen Farac v. City and County of San Francisco for $50,000. The lawsuit was filed on April 28, 2005, in San Francisco Superior Court, Case No. 440-820; entitled Stephen N. Farac v. City and County of San Francisco, and Does 1 Through 20, Inclusive. (City Attorney)

FINALLY PASSED

061171 **[Settlement of Lawsuit - Department of Fair Employment and Housing v. City and County of San Francisco, et al]**
Ordinance authorizing settlement of the lawsuit filed by Department of Fair Employment and Housing on behalf of Real Party in Interest Angela Martin against the City and County of San Francisco for $160,000.00; the lawsuit was filed on August 4, 2005, in San Francisco Superior Court, Case No. 443742; entitled Department of Fair Employment and Housing v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

061228 **[Settlement of Lawsuit - John and Judith Bovio, et al., v. City and County of San Francisco, et al]**
Ordinance authorizing settlement of the lawsuit filed by John and Judith Bovio against the City and County of San Francisco for $85,000; the lawsuit was filed on December 8, 2004 in San Francisco Superior Court, Case No. 436-946; entitled John and Judith Bovio, et al., v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

061030 **[Regulating Street Artists - Compensation of Advisory Committee]**

Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2402 to allow members of the Advisory Committee of Street Artists and Craftmen Examiners to be reimbursed for their reasonable travel expenses traveling to and from Committee meetings, Street Artist screenings, and other Advisory Committee activities. (Arts Commission)

(Supervisor Daly dissented in committee)

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Daly, Elsbernd, Ma

From the Rules Committee Without Recommendation

061227 **[Settlement of Lawsuit - CCSF, et al. v. Kam Kong Tang and Kai Yuen Ng]**

Ordinance authorizing the settlement of a lawsuit filed by the City and County of San Francisco against Kam Kong Tang and Kai Yuen Ng, former part owners of the King Tin Restaurant, for $85,000.00; the lawsuit was filed on August 3, 2005 for violation of the City's Minimum Wage Ordinance, in San Francisco Superior Court, Case No. 433685, entitled City and County of San Francisco, et al. v. Kam Kong Tang and Kai Yuen Ng. (City Attorney)

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061267 **[Public Employment - Office of the Treasurer and Tax Collector]**
Supervisor McGoldrick

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 0.71 Principal Clerk position, a 0.58 Personal Property Auditor position, and a 0.63 Management Assistant position in the Office of the Treasurer and Tax Collector.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061240 **[In-kind agreement and acceptance of easement relating to 333 Fremont Street]**

Resolution approving an in-kind agreement for the provision of a mid-block pathway and streetscape improvements to satisfy a portion of the developer's impact fee obligation relating to the 333 Fremont Street project; authorizing the acceptance of an easement for such mid-block pathway under the terms of the in-kind agreement; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution; and ratifying previous actions taken in connection therewith. (Planning Department)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061270 **[Authorizing the Office of Contract Administration to amend its contract with Xtech to exceed $19 million]**

Supervisor Daly

Resolution authorizing the Committee on Information Technology to enter into the Fourth Amendment between the City and Xtech (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount of $19,000,000 to $25,000,000.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061273 **[Funding Agreement for 2006 Spare the Air Campaign]**

Supervisor Ammiano

Resolution approving the Funding Agreement between the Metropolitan Transportation Commission and the City and County of San Francisco for the 2006 Spare the Air/Free Transit campaign.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Government Audit and Oversight Committee

061303 **[Public Employment - Department of Public Health and the General Service Agency]**

Supervisor Ammiano

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect proposed changes to the Department of Public Health and the General Service Agency staffing for the Health Access Program, increasing total staffing by 0.48 FTE.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061078 **[Directing the Budget Analyst to conduct, on priority basis, a fiscal feasibility analysis of a City-owned Wireless Network]**
Supervisor McGoldrick

Motion directing the Budget Analyst to conduct, on priority basis, a fiscal feasibility analysis of a City-owned Wireless Network to promote digital inclusion by ensuring affordable internet access, affordable hardware, community-sensitive training and support, and relevant content to all San Franciscans, especially low-income and disadvantaged residents.

APPROVED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma

Recommendations of the Land Use and Economic Development Committee

051772 **[Designating 2151 Van Ness Avenue, St. Brigid Church, as a Landmark, Under Planning Code Article 10]**
Supervisor Alioto-Pier

Ordinance Designating 2151 Van Ness Avenue, St. Brigid Church, As Landmark No. 252 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061206 **[Community Improvements and the Eastern Neighborhoods]**
Supervisors McGoldrick, Maxwell

Ordinance amending the Administrative Code to add Chapter 36 to provide procedures and inter-agency cooperation in the preparation and implementation of community improvements plans and programs as part of the creation of new Area Plans of the General Plan in the Eastern Neighborhoods, defined as including the proposed Market and Octavia, East South of Market, West South of Market, Inner Mission, Lower Potrero/Showplace Square, and Central Waterfront plan areas.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Supervisors Daly and Dufty were noted absent at 3:15 p.m.

061337 **[Hearing - Formation of a community facilities district in connection with the Mint Plaza Area]**

Hearing to consider the approval to accept public testimony regarding the potential recommendation for approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Mint Plaza Area. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board members.

Andy Cole, speaking in support the project
Eric Christopherson, speaking in support of the project

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

061309 **[Recommending approval of Community Facilities District formation and financing by the ABAG Finance Authority For Nonprofit Corporations relating to Mint Plaza]**
Supervisor Daly

Resolution recommending approval of the formation of a community facilities district and the issuance of special tax bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Mint Plaza; making findings; approving related joint community facilities agreement; and granting general authority to city officials to take actions necessary to implement this resolution.

ADOPTED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, Dufty

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

061269 **[Accept-Expend Federal Funding - Neighborhood Initiative Grant]**
Supervisor Daly

Resolution authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend a Neighborhood Initiative Grant from the U.S. Department of Housing and Urban Development in an amount not to exceed Nine Hundred Ninety Thousand Dollars ($990,000) for the rehabilitation and adaptive re-use of the Hotel Essex at 684 Ellis Street, San Francisco.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with the absences of Supervisors from meetings and issues relating to the Middle East War
James Chaffee; expressed concern with issues relating to the SF Public Library
Eulla Walters; expressed concern with the renaming of the Ferry Park to Sue Bierman park
Lanore Dimore; expressed concern with issues related police brutality and housing
Walter: showed interest in the Titanic exhibit
Eugene Gordon, Jr. expressed concern with issues related to the violation of human rights
Brent Turner; expressed concern with issues related to voting system security and purchase of voting machines
Slyvia Johnson, expressed concern with issues related to firearms
John Adam, share a poem concerning the handicap with the Board
Male speaker; expressed concern with issues related to the improvement of Golden Gate Park, Recreation and Park Commissioners, and the District Attorney.
Male speaker; expressed concern with issues relating to the traffic during the Oracle convention and other taxi related issues
Chris Shafffer; showed interest in increasing the recreational facilities in the City

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Supervisors Daly and Dufty were noted presented at 3:25 p.m.

061352 **[Mortgage Credit Certificates]**
Supervisor Elsbernd

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

ADOPTED

061353 **[Urging Governor Schwarzenegger to grant parole to Flozelle Woodmore]**
Supervisor Mirkarimi

Resolution urging Governor Schwarzenegger to follow the Parole Board's recommendation to grant parole to Flozelle Woodmore.

ADOPTED

061354 **[Commending Hala Hijazi]**
Supervisors Daly, Peskin, Ma, Dufty, Elsbernd

Resolution commending Hala Hijazi for her work on the Old Mint Project.

Supervisors Dufty and Elsbernd requested to be added as co-sponsors.
ADOPTED

061355 **[Supporting Proposition 89, the California Clean Money and Fair Elections Act of 2006]**
Supervisors Mirkarimi, Ma

Resolution in support of Proposition 89, the California Clean Money and Fair Elections Act of 2006 on November 7, 2006.

Supervisor Ma requested to be added as a co-sponsor.
ADOPTED

061334 **[Final Map - 329 Bay Street]**
Motion approving Final Map 3432, a 23 Unit Mixed-Use Condominium Project, located at 329 Bay Street being a subdivision of Lot 36 in Assessors Block No. 0041 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,348; District 3.)

APPROVED

061335 **[Final Map - 638 19th Street]**
Motion approving Final Map 3001, a 21 Unit Mixed-Use Condominium Project, located at 638 19th Street being a subdivision of Lot 30 in Assessors Block No. 4044 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,349; District 10.)

APPROVED

061336 **[Final Map - 1843 - 1853 Filbert Street]**
Motion approving Final Map 2670, a 6 Unit Residential Condominium Project, located at 1843 – 1853 Filbert Street being a subdivision of Lot 26 in Assessors Block No. 0530 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,291; District 2.)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to approve the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061364 **[Commending Ms. Margarita Hernandez]**

Supervisor Dufty

Resolution commending Ms. Margarita Hernandez for her more than 20 years of outstanding Community Service to the 30th Street Senior Center.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

061333 **[Prohibiting Gifts From Restricted Sources]**

Ordinance amending section 3.216 of the Campaign and Governmental Conduct Code to prohibit City officers and employees from receiving any gifts from restricted sources other than nominal gifts exempted by the Ethics Commission and to clarify that exemptions to gift limits under state law also apply to limits imposed by local law. (Ethics Commission)

9/20/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

061331 **[Study of at-risk and HIV positive youth in San Francisco]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of $26,851 with the University of California (UCSF), the primary contractor, to participate in a study of at-risk and HIV positive youth in San Francisco, for the period of March 1, 2006 to February 28, 2007. (Public Health Department)

9/21/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Supervisor Dufty requested to be added as sponsor.

061332 **[Study of HIV transmission behavior in HIV-positive men]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of $21,786 with the University of California, San Francisco (UCSF), the primary contractor, to participate in a study to examine decisions to have high transmission-risk sex; study the efficacy of a prevention counseling intervention; and determine whether future episodes of unprotected sex is reduced, for the period of September 1, 2005 to August 31, 2006. (Public Health Department)

9/21/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Supervisor Dufty requested to be added as sponsor.

061338 **[Street Artist Winter Holiday Spaces]**

Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2006, beginning on November 15, 2006 and ending on January 15, 2007. (Arts Commission)

9/26/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED MOTIONS

ADJOURNMENT

There being no further business the Board adjourned at the hour of 3:42 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

VOTES

MEETING MINUTES - DRAFT

DOCUMENTS DEPT.
OCT 19 2006
SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, October 17, 2006 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

SF
#6
10/17/06

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll all Supervisor Sandoval was noted absent.

There was a quorum.
Supervisor Sandoval was noted present at 2:04 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Dufty, moved September 9, 2006 and September 26, 2006 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

061267 **[Public Employment - Office of the Treasurer and Tax Collector]**
Supervisor McGoldrick

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 0.71 Principal Clerk position, a 0.58 Personal Property Auditor position, and a 0.63 Management Assistant position in the Office of the Treasurer and Tax Collector.

FINALLY PASSED

061258 **[Grant of Federal Funds - Municipal Transportation Agency]**
Supervisor Dufty

Resolution authorizing the Municipal Transportation Agency to accept and expend $29,453,769 of Section 5309 fixed guideway capital assistance for various Municipal Railway capital projects and activities, excluding administrative overhead costs.

ADOPTED

061259 [Grant of Federal Funds - Municipal Transportation Agency]
Supervisor Elsbernd

Resolution authorizing the Municipal Transportation Agency to Accept and Expend $46,175,552 of Section 5307 and Surface Transportation Program capital assistance for various Municipal Railway capital projects and activities, excluding Administrative Overhead Costs.

ADOPTED

061314 [Lease of Real Property at 1701 Ocean Avenue]
Supervisor Sandoval

Resolution authorizing the lease of 5,000 square feet of space at 1701 Ocean Avenue for the OMI Family Center of the Department of Public Health.

(Fiscal impact.)

ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

061306 [Provide SSI application assistance to the chronically homeless and mentally ill in San Francisco.]
Mayor, Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of $97,660 from the Social Security Administration (SSA) to provide SSI application assistance to the chronically homeless and mentally ill in San Francisco and to enter into an agreement for the use of these funds; for the period of May 1, 2006 to April 30, 2007.

ADOPTED

061307 [Manage and follow-up on chronic health conditions among refugees in San Francisco]
Supervisor Ma

Resolution authorizing the San Francisco Department of Public Health, Newcomers Health Program (SFDPH, Newcomers) to accept and expend retroactively a new continuing grant in the initial amount of $55,000, from the California Department of Health Services, Refugee Health Section (CDHS/RHS) in support of a program entitled Refugee Preventive Health Program (RPHP), for the period of July 1, 2006 through June 30, 2007 with expected continuation for four additional years, and which includes a sub-contract with the International Institute of San Francisco (IISF) in the amount of $28,900 for the same time period.

ADOPTED

Recommendation of the Government Audit and Oversight Committee

061303 [Public Employment - Department of Public Health and the General Service Agency]
Supervisor Ammiano

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect proposed changes to the Department of Public Health and the General Service Agency staffing for the Health Access Program, increasing total staffing by 0.48 FTE.

FINALLY PASSED

Recommendations of the Rules Committee

061349 **[Appointment - Bicycle Advisory Committee]**

Resolution appointing Richard Tilles, term ending November 19, 2006, to the Bicycle Advisory Committee.

Richard Tilles, succeeding Lionel Shaw, resigned, seat 2, must be a nominee of District 2 Supervisor, for the unexpired portion of a two-year term ending November 19, 2006.

ADOPTED

061350 **[Appointment - Shelter Monitoring Committee]**

Resolution appointing Elizabeth Olsen, term ending November 23, 2006, to the Shelter Monitoring Committee.

Elizabeth Olsen, succeeding Joanne Smith, resigned, seat 2, must be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2006.

ADOPTED

061357 **[Appointment - Children and Families First Commission]**

Resolution appointing Kara Dukakis and Betty Robinson-Harris, terms ending April 29, 2010, to the Children and Families First Commission; residency requirement waived.

Kara Dukakis, succeeding Hector Melendez, term expired, seat 5, term expired, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for the unexpired portion of a four-year term ending April 29, 2010.
Betty Robinson-Harris, succeeding Norman Yee, term expired, seat 8, term expired, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for the unexpired portion of a four-year term ending April 29, 2010.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

051772 [Designating 2151 Van Ness Avenue, St. Brigid Church, as a Landmark, Under Planning Code Article 10]
Supervisor Alioto-Pier

Ordinance Designating 2151 Van Ness Avenue, St. Brigid Church, As Landmark No. 252 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061206 [Community Improvements and the Eastern Neighborhoods]
Supervisors McGoldrick, Maxwell

Ordinance amending the Administrative Code to add Chapter 36 to provide procedures and inter-agency cooperation in the preparation and implementation of community improvements plans and programs as part of the creation of new Area Plans of the General Plan in the Eastern Neighborhoods, defined as including the proposed Market and Octavia, East South of Market, West South of Market, Inner Mission, Lower Potrero/Showplace Square, and Central Waterfront plan areas.

Supervisor Ma, moved to continue this matter to November 7, 2006.
Motion failed for the lack of a second.

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061266 **[Public Employment - Public Defender]**
Supervisors Mirkarimi, Daly, Ammiano, Maxwell

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 1.0 Court Alternative Specialist I and 2.0 Social Workers in the Office of the Public Defender (PDR).

(Supervisor Peskin dissented in committee.)

PASSED ON FIRST READING by the following vote:
Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 4 - Alioto-Pier, Elsbernd, Ma, Peskin

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved to rescind the previous vote. Motion to rescind the vote carried without objection.

PASSED ON FIRST READING by the following vote:
Ayes: 6 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Sandoval
Noes: 5 - Alioto-Pier, Elsbernd, Ma, McGoldrick, Peskin

061297 **[Public Utilities Commission Short-Term Indebtedness]**

Ordinance amending Sections 43.5.1 through 43.5.4, inclusive, of the San Francisco Administrative Code to authorize the Director of Public Finance to designate an alternate, to implement the provisions of Article VIIIB of the Charter and to make other clarifying revisions. (Public Utilities Commission)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061298 **[Authorization for the Public Utilities Commission to issue Commercial Paper Notes (Wastewater Series) in an aggregate principal amount not exceeding $150,000,000]**

Ordinance approving the issuance by the Public Utilities Commission of its Commercial Paper Notes (Wastewater Series) in an aggregate principal amount not exceeding $150,000,000 pursuant to Article VIIIB of the City Charter and Article V of Chapter 43 of Part I of the San Francisco Administrative Code, as amended, for the purpose of reconstructing and improving certain capital improvements related to the Wastewater Enterprise; approving the form and authorizing the execution of a credit facility, an issuing and paying agent agreement, one or more dealer agreements, an offering memorandum and other documents relating to such notes; approving the maximum interest rate on such notes; and related matters. (Public Utilities Commission)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061304 **[Appropriating $950,000 of State of California health program revenue for mental health wrap around services for the Department of Public Health for Fiscal Year 2006-2007]**

Mayor, Supervisor Dufty

Ordinance appropriating $950,000 of State of California health program revenue for mental health wrap around services to provide clinical services to youth receiving services as a result of the SB 163 State initiative for the Department of Public Health for Fiscal Year 2006-2007, and authorizing reimbursement of contractor costs retroactive to September 1, 2006.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061312 **[Appropriating $2,166,000 to fund Laguna Honda Hospital increased costs for the Department of Public Health retroactive to Fiscal Year 2005-2006]**

Supervisors Daly, Elsbernd

Ordinance appropriating $2,166,000 of Laguna Honda Hospital surplus revenues to fund increased costs in salaries, non-personal services, and materials and supplies for the Department of Public Health retroactive to Fiscal Year 2005-2006.

(Fiscal impact.)

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

061255 **[Providing for a taxi gate cap of $91.50 and a $0.25 fuel surcharge on the flag drop; the Board of Supervisors to consider other changes if the Taxi Commission has submitted a health care program for drivers by April 1, 2007.]**

Supervisor Peskin

Resolution modifying the Controller's determinations of inflationary increases in taxi fares and gate cap pursuant to Police Code Section 1137 to provide for a gate cap of $91.50 and a $0.25 fuel surcharge on the flag drop and to provide that the Board of Supervisors shall consider other changes to the gate cap and to fares if the Taxi Commission has submitted a formal proposal for a health care program for taxi drivers by April 1, 2007.

Amended by inserting on page 2, line 14, "going forward" after " $91.50".

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061239 **[Approval of Joint Powers Agreement for North Bayside System Unit facilities with the Cities of San Francisco, South San Francisco, San Bruno, Millbrae, and Burlingame]**

Resolution approving and authorizing the execution of an Agreement between the Cities of San Francisco, South San Francisco, San Bruno, Millbrae, and Burlingame pertaining to capacity ownership, operation, maintenance and capital projects cost sharing for North Bayside System Unit (NBSU) Facilities. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

061320 **[Property and Business Improvement Districts]**

Supervisor Peskin

Ordinance amending Section 1511 of the San Francisco Business and Tax Regulations Code to (1) allow the owners of businesses who would pay at least 30% of the proposed assessment, or a combination of property owners and business owners who would pay at least 30% of the proposed assessment, to petition the Board of Supervisors to form a property and business improvement district, and (2) make conforming and clarifying changes to the procedural and substantive augmentation of state law governing the formation of property and business improvement districts.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061203 **[Approval of the sale of street flower market permit on Grant Avenue near Post Street and deletion of site location]**

Supervisor Peskin

Ordinance approving the sale of a street flower market permit pursuant to San Francisco Public Works Code Article 5, Section 161, and amending Public Works Code Article 5, Section 155 to delete the flower market location on the east sidewalk of Grant Avenue within 100 feet south of the southerly line of Post Street.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061338 **[Street Artist Winter Holiday Spaces]**

Supervisor Dufty

Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2006, beginning on November 15, 2006 and ending on January 15, 2007. (Arts Commission)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

061343 [Confirmation of Mayor's Appointment - Port Commission]
Mayor

Resolution confirming the appointment of Rodney Fong to the San Francisco Port Commission, term ending May 1, 2010.

Continued to October 24, 2006

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061344 [Confirmation of Mayor's Appointment - Treasure Island Development Authority]
Mayor

Resolution confirming the appointment of Owen Stephens to the Treasure Island Development Authority Board of Directors, term ending April 28, 2010.

Supervisor Peskin, seconded by Supervisor McGoldrick, moved to rerefer this matter to Committee.
The motion to rerefer to Committee failed by the following vote:
Ayes: 4 - McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 7 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,

Continued to October 31, 2006

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061345 [Confirmation of Mayor's Reappointment - Treasure Island Development Authority]
Mayor

Resolution confirming the reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, term ending April 28, 2010.

Supervisor Peskin, seconded by Supervisor McGoldrick, moved to rerefer this matter to Committee.
The motion to rerefer to Committee failed by the following vote:
Ayes: 4 - McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 7 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,

Continued to October 31, 2006

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Maxwell Excused From Voting

Supervisor Alioto-Pier, seconded by Supervisor Ma, moved to excuse Supervisor Maxwell from voting on this matter. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

061346 **[Appointment - Peninsula Corridor Study Joint Powers Board]**

Resolution appointing Supervisor Sophie Maxwell, term ending June 30, 2008, to the Peninsula Corridor Study Joint Powers Board.

Supervisor Sophie Maxwell, succeeding herself, term expired, seat 1, must be appointed by the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2008.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

061347 **[Appointment - Urban Counties Caucus]**

Resolution appointing Supervisor Chris Daly, term ending December 31, 2006, to the Urban Counties Caucus.

Supervisor Chris Daly, succeeding himself, term expired, seat 1, must be an elected representative from each County Board of Supervisors maintaining the membership of its supervisors in the Caucus. Each representative shall be selected at the beginning of the calendar year by the Board of Supervisors to serve a term of not less than two years to coincide with the sessions of the California Legislature, for the unexpired portion of a two-year term ending December 31, 2006.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

060700 **[Police Foot Patrols]**

Supervisors Mirkarimi, Daly, Ammiano, Maxwell, Sandoval

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern, Park, Tenderloin, Mission, Ingleside, Taraval, Southern and Bayview Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

Supervisor Daly moved to divide the question to discuss whether to amend the legislation to include the addition of Central and Richmond Police Stations.
File was divided.(See File No. 061453)

Supervisor Daly moved to amend the legislation to remove language relating to the delay of the implementation of the Ordinance.
Motion failed for lack of a second.

PASSED ON FIRST READING AS DIVIDED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Peskin

061453 **[Police Foot Patrols]**

Supervisors Mirkarimi, Daly, Ammiano, Maxwell, Sandoval

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern, Park, Tenderloin, Mission, Ingleside, Taraval, Southern, Bayview, Central and Richmond Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

Amended to add language to include the addition of Central and Richmond District Police Stations.

Supervisor McGoldrick, seconded by Supervisor Ma, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 6 - Daly, Dufty, Ma, Maxwell, McGoldrick, Sandoval
Noes: 5 - Alioto-Pier, Ammiano, Elsbernd, Mirkarimi, Peskin

Referred as amended.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Ordinance be REFERRED to the Select Committee on Ending Gun and Gang Violence. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the homeless
Male Speaker; showed support for Supervisor Dufty
James Chaffee; expressed concern with issues relating to the SF Public Library
John Rosen; expressed concern with issues relating to the divestment of monies to the Sudan
Walter; shared with the Board memorabilia and concern with the loudness of sirens
Eugene Gordon, Jr.; expressed concern with issues relating to the violations of human rights
Sylvia Johnson: expressed concern with issues relating to homeless and violence
Eulla Walters; expressed concern with renaming of Ferry Park to Sue Bierman park
John Di Donna; expressed concern with issues relating to the remarks made remark made regarding the birth of Supervisor Duty's child
Male speaker; expressed concern with issues relating to district elections rather than City-wide elections and the Recreation and Park Commission
Female speaker; showed interest with issues relating to sex workers rights
Victoria Powell; showed interest with issues relating to sex workers rights
Francisco Da Costa; expressed concern with issues relating to the Bay View Hunters Point Area

Supervisor McGoldrick was noted absent at 4:30 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061380 **[Justice for the Bolivian People Massacred in October 2003 Demonstrations]**
Supervisor Daly

Resolution supporting justice for the Bolivian people massacred in October 2003 demonstrations and supporting the survivors' legal request that Gonzalo Sanchez de Lozada, Carlos Sanchez Berzain and Jorge Berindoague return to Bolivia immediately to stand trial in the case against them.

ADOPTED

061381 [Supporting Proposition 1A , the Transportation Funding Protection Legislative Constitutional Amendment]
Supervisor Dufty

Resolution supporting California State Proposition 1A, the Transportation Funding Protection Legislative Constitutional Amendment.

ADOPTED

061382 [Accept-Expend State Grant - Mayor's Office of Criminal Justice]
Mayor, Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of $108,305 from the State Corrections Standards Authority for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant (JABG).

ADOPTED

061383 [Accept and Expend State Grant - Department of the Environment]
Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $78,909.00 from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and oil filter collection in marinas in the City and County of San Francisco serving the residents of the City.

ADOPTED

061384 [Honoring International Tenants' Day]
Supervisors Mirkarimi, Ammiano, Daly

Resolution honoring October 2nd, 2006 as International Tenants' Day as proclaimed by the International Union of Tenants.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Severed from Without Reference to Committee Agenda

Supervisor Maxwell requested that this matter be severed so that it might be considered separately.

061378 **[Committee of the Whole on December 5, 2006, at 3:00 pm on adopting a Resolution to acquire property by Eminent Domain - Islais Creek MUNI Maintenance Facility]**

Supervisor Maxwell

Motion directing the Board of Supervisors to hold a public hearing on November 7, 2006, at 3:00 p.m., with the Board sitting as a committee of the whole, to consider adopting a Resolution of Necessity for the City's proposed acquisition by eminent domain of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility.

Amended by replacing "November 7, 2006" with "December 5, 2006."

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Motion directing the Board of Supervisors to hold a public hearing on December 5, 2006, at 3:00 p.m., with the Board sitting as a committee of the whole, to consider adopting a Resolution of Necessity for the City's proposed acquisition by eminent domain of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility.

Continued to November 7, 2006

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Supervisor Peskin requested that this matter be severed so that it might be considered separately

061386 **[Supporting Proposition 1B, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Act of 2006]**

Supervisor Peskin

Resolution supporting California State Proposition 1B, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Act of 2006.

REFERRED to the City and School District Select Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Maxwell, moved to approve the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Maxwell, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

061421 **[Mission Hiring Hall's 35th Anniversary]**
Supervisor Daly

Resolution commending Mission Hiring Hall for the outstanding opportunities that it has provided to the local community through its employment services over the past 35 years, giving San Franciscans the opportunity to live a dignified life.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

061359 **[Settlement of Lawsuit - CCSF v. William D. Spencer, F. W. Spencer & Son, Inc., et. al.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against William D. Spencer, F.W. Spencer & Son, Inc., Brisbane Mechanical Company, Bruce Bonar, Lou Thomas, William McGahan (together, the "Spencer Parties"), A. Answer, Inc. and Troy's Contracting, Inc. on January 16, 2004 in San Francisco Superior Court, Case No. CGC –04-429249, entitled, City and County of San Francisco et. al. v. F. W. Spencer & Son, Inc. et. al., with (a) the Spencer Parties paying $2,000,000 by January 24, 2007, and dismissing its actions and cross-actions against the City and others and the Spencer Parties releasing all claims on the Moscone Center Expansion Project and The San Francisco Jail Replacement No. 3 Project ; and (b) A. Answer, Inc. and Troy's Contracting, Inc. paying $124,000 within 60 days of final approval of this settlement. The Spencer Parties' action was brought against San Francisco, City Attorney Dennis Herrera and others, and was coordinated as part of the California Judicial Council Coordination Proceeding No. 4379. (City Attorney)

9/29/06, RECEIVED AND ASSIGNED to Rules Committee.

061360 **[Setting speed limit on portions of Kezar and John F. Kennedy Drives]**

Ordinance amending the Traffic Code by adding a new Section 175.07, establishing a speed limit of 30 MPH on Kezar Drive between Lincoln Way and John F. Kennedy Drive, and on John F. Kennedy Drive between Kezar Drive and Stanyan Street.

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3252.)

10/2/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

10/16/06, REFERRED TO DEPARTMENT. Referred to Parking and Traffic for environmental review.

PROPOSED RESOLUTIONS

061361 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
990 Greenwich Street, from 7.4 feet to 16 feet east of Jones Street, accommodating two motorcycle parking spaces.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
22nd Street, both sides, between Bryant and Florida Streets.

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
20th Avenue, both sides, between Eucalyptus Drive and Ocean Avenue (3000 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Cesar Chavez Street, both sides, between Noe and Sanchez Streets (4000 block).

NO PARKING ANYTIME - ESTABLISH
Shotwell Street, west side, from Cesar Chavez Street to 102 feet south of 26th Street.

NO PARKING (RED ZONES) ANYTME - ESTABLISH
Broadway, south side, from Columbus Avenue to 65 feet easterly (6-foot extension of sidewalk;
Broadway, north side, 57 feet west of Kearny Street (6-foot extension of the sidewalk); and,
Broadway, south side, 52 feet west of Kearny Street (6-foot extension of the sidewalk)

TOW AWAY, NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY – RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Columbus Avenue, west side, from Broadway to 60 feet northerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Waller Street, north side, from the driveway of 530 Waller Street to the driveway of 532 Waller Street (18-foot space, accommodating 5 unmetered motorcycle parking spaces).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
16th Street, north side, from Bryant Street to 80 feet easterly (80-foot zone to create a right-turn only pocket).

TOW-AWAY, NO STOPPING AND TRANSIT LANE ONLY, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Harrison Street, north side, from the Embarcardero to First Street

RESIDENTIAL PERMIT PARKING AREA "Y" (2 HOUR PARKING TIME LIMIT, 9 AM TO 10 PM, EVERYDAY) - ESTABLISH
Harrison Street, south side, between Fremont and Spear Streets (currently unregulated);
Spear Street, west side, from Harrison Street to 140 feet southerly (currently unregulated);
Main Street, both sides, between Harrison and Bryant Streets (currently unregulated);
Beale Street, both sides, between Bryant and Harrison Streets (replaces existing signed time limits); and,
Beale Street, west side, between Harrison and Folsom Streets (replaces existing signed time limits).

PARKING METER AREA 1 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Harrison Street, north side, between Fremont and Spear Streets (currently unregulated);
Spear Street, east side, from Harrison Street to 140 feet southerly (currently unregulated);
Harrison Street, south side, between The Embarcadero and Spear Streets (replaces signed time limit);
Beale Street, east side, between Folsom and Harrison Streets (currently unregulated)
Townsend Street, both sides, between 2nd Street and Colin P. Kelly Jr. Street (replaces 2 -hour signed time limit);
Brannan Street, both sides, between 2nd Street and Colin P. Kelly Jr. Street (replaces 2 -hour signed time limit); and,
2nd Street, west side, between King and Townsend Streets (currently unregulated).

TOW-AWAY, NO PARKING, 3:30 TO 7:00 PM, MONDAY THROUGH FRIDAY – ESTABLISH
Beale Street, west side, from Bryant Street to 50 feet northerly (50 foot zone).

TOW-AWAY, NO STOPPING ANYTIME – ESTABLISH
Beale Street, west side, from 50 feet to 230 feet north of Bryant Street (180 foot zone).

PERPENDICULAR PARKING – RESCIND
Beale Street, east side, from 300 feet to 353 feet south of Folsom Street and from 620 feet to 764 feet south of Folsom Street; and,
Beale Street, west side, from Bryant Street to 630 feet northerly (north end of Harrison Overpass).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Pierce Street, west side, between Jackson Street and Pacific Avenue (legislates existing conditions).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY RESCIND
California Street, north side, from Kearny Street to Mason Street.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
California Street, both sides, between Powell and Mason Streets. (Parking and Traffic Department)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)
10/2/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061362 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
22nd Avenue and Moraga Street, stopping 22nd Avenue, making this intersection an All-Way STOP;
Peru Avenue and Athens Street, stopping eastbound Peru Avenue, the stem of this T-intersection;
Circular Avenue and Havelock Street, stopping southbound Circular Avenue (legislates existing conditions);
Dorantes Avenue at Magellan Avenue, stopping Dorantes Avenue, making this T-intersection an All-Way STOP; and,
Brighton Avenue at Lakeview Avenue, stopping southbound Brighton Avenue, the stem of this T-intersection.
(Parking and Traffic Department)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)
10/2/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061363 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT - ESTABLISH
Columbus Avenue, west side, from Broadway to 60 feet northerly.

ONE WAY STREET – RESCIND
Beale Street, between Bryant and Folsom Streets.

BIKE LANE (SOUTHBOUND) – ESTABLISH
Beale Street, west side, between Bryant and Folsom Streets. (Parking and Traffic Department)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)
10/2/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061391 **[Contract With Anticipated Expenditure in Excess of $10 Million]**

Resolution approving the Fourth Amendment to the Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for hauling services, resulting in total compensation to the Contractor in an amount not to exceed $10,480,000, pursuant to San Francisco Charter Section 9.118(b). (Purchaser)
10/6/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED MOTIONS

061387 **[Appoinment, Planning Commission]**
Mayor

Motion approving the Mayor's appointment of Marilyn Sue Lee to the Planning Commission term ending July 1, 2010.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 061388.)
Transmittal date – October 3, 2006.
10/3/06, RECEIVED AND ASSIGNED to Rules Committee.

061388 **[Appointment, Planning Commission]**
Mayor

Motion rejecting the Mayor's appointment of Marilyn Sue Lee to the Planning Commission term ending July 1, 2010.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 061387.)
Transmittal date – October 3, 2006.
10/3/06, RECEIVED AND ASSIGNED to Rules Committee.

061389 **[Reappointment, Planning Commission]**
Motion approving the Mayor's reappointment of William L. Lee to the Planning Commission term ending July 1, 2010. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 061390.)
Transmittal date – October 3, 2006.
10/3/06, RECEIVED AND ASSIGNED to Rules Committee.

061390 **[Reappointment, Planning Commission]**
Motion rejecting the Mayor's reappointment of William L. Lee to the Planning Commission term ending July 1, 2010.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 061389.)
Transmittal date – October 3, 2006.
10/3/06, RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

There being no further business, the Board adjourned its meeting at the hour of 4:35 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

DOCUMENTS DEPT.
OCT 26 2006
SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, October 24, 2006 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

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10/24/06

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisors Daly, Dufty and McGoldrick were noted absent.

There was a quorum.

Supervisors Daly and Dufty were noted present at 2:04 p.m.

Supervisor McGoldrick Excused From Attendance

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved to excuse Supervisor McGoldrick from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

061297 **[Public Utilities Commission Short-Term Indebtedness]**

Ordinance amending Sections 43.5.1 through 43.5.4, inclusive, of the San Francisco Administrative Code to authorize the Director of Public Finance to designate an alternate, to implement the provisions of Article VIIIB of the Charter and to make other clarifying revisions. (Public Utilities Commission)

FINALLY PASSED

061298 **[Authorization for the Public Utilities Commission to issue Commercial Paper Notes (Wastewater Series) in an aggregate principal amount not exceeding $150,000,000]**

Ordinance approving the issuance by the Public Utilities Commission of its Commercial Paper Notes (Wastewater Series) in an aggregate principal amount not exceeding $150,000,000 pursuant to Article VIIIB of the City Charter and Article V of Chapter 43 of Part I of the San Francisco Administrative Code, as amended, for the purpose of reconstructing and improving certain capital improvements related to the Wastewater Enterprise; approving the form and authorizing the execution of a credit facility, an issuing and paying agent agreement, one or more dealer agreements, an offering memorandum and other documents relating to such notes; approving the maximum interest rate on such notes; and related matters. (Public Utilities Commission)

(Fiscal impact.)

FINALLY PASSED

061304 **[Appropriating $950,000 of State of California health program revenue for mental health wrap around services for the Department of Public Health for Fiscal Year 2006-2007]**

Mayor, Supervisor Dufty

Ordinance appropriating $950,000 of State of California health program revenue for mental health wrap around services to provide clinical services to youth receiving services as a result of the SB 163 State initiative for the Department of Public Health for Fiscal Year 2006-2007, and authorizing reimbursement of contractor costs retroactive to September 1, 2006.

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

061107 **[Traffic Regulations]**

Supervisor Ma

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
Sloat Boulevard, both directions, from Skyline Boulevard to The Great Highway.

RIGHT LANE MUST TURN RIGHT - RESCIND
Sloat Boulevard, eastbound, from Skyline Boulevard to 300 feet westerly.

RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - ESTABLISH
Sloat Boulevard, westbound, from 37th Avenue to 39th Avenue; and,
Sloat Boulevard, eastbound, from Skyline Boulevard to 350 feet westerly. (Parking and Traffic Department)

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3190.)

ADOPTED

061229 **[Liquor License Transfer, 1455 Custer Avenue]**

Hearing to consider that the transfer of a Type 20 off-sale beer and wine license from 55 Beverly Street to 1455 Custer Avenue (District 10), to Kathryn E. Kaufer, dba Kaufer's Religious Supplies, will serve the convenience of the people of the City and County of San Francisco.

ADOPTED

061242 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
20th and Sanchez Streets, stopping the Liberty Street approaches to 20th Street;
Manzanita Avenue and Euclid Avenue, stopping Manzanita Avenue;
Iris Avenue and Euclid Avenue, stopping Iris Avenue;
King Street at Division Street, stopping southbound King Street;
Green and Montgomery Streets, stopping Montgomery Street at Green Street, making this uncontrolled intersection a two-way STOP.
Crestlake Drive and Yorba Street, making this Y-intersection an All-Way STOP. (Parking and Traffic Department)

(8/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3236.)

ADOPTED

061257 **[Parking Regulations - Noe Street]**
Supervisor Dufty

Resolution enacting angle parking regulations on the east side of Noe Street, between 29th and Day Streets.

ADOPTED

061313 **[STOP Intersections]**
Supervisor Dufty

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Addison and Farnum Streets, stopping Addison Street, making this intersection an all-way STOP.

(9/15/06 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

ADOPTED

061289 **[Gift - Private - Department of Public Health, Laguna Honda Hospital & Rehabilitation Center]**
Supervisor Elsbernd

Resolution authorizing the San Francisco Department of Public Health (SFDPH), Laguna Honda Hospital & Rehabilitation Center (LHH) to accept and expend a monetary gift donation to Laguna Honda Hospital in the amount of $50,000 from the Mildred Oliva Trust, through Shirley A. Reece, Trustee, for the exclusive benefit of the residents of the LHH Hospice Unit. (Public Health Department)

ADOPTED

061290 **[Gift of Equipment to Fire Department]**

Resolution accepting a gift of equipment to the Fire Department from the Fireman's Fund Insurance Company as follows: (1) an ambulance simulator and a training mannequin, with a combined value of approximately $37,200; and (2) equipment for the Fire Boat valued at approximately $10,000.

ADOPTED

061331 **[Study of at-risk and HIV positive youth in San Francisco]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of $26,851 with the University of California (UCSF), the primary contractor, to participate in a study of at-risk and HIV positive youth in San Francisco, for the period of March 1, 2006 to February 28, 2007. (Public Health Department)

ADOPTED

061332 **[Study of HIV transmission behavior in HIV-positive men]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of $21,786 with the University of California, San Francisco (UCSF), the primary contractor, to participate in a study to examine decisions to have high transmission-risk sex; study the efficacy of a prevention counseling intervention; and determine whether future episodes of unprotected sex is reduced, for the period of September 1, 2005 to August 31, 2006. (Public Health Department)

ADOPTED

Recommendations of the Land Use and Economic Development Committee

061320 **[Property and Business Improvement Districts]**
Supervisor Peskin

Ordinance amending Section 1511 of the San Francisco Business and Tax Regulations Code to (1) allow the owners of businesses who would pay at least 30% of the proposed assessment, or a combination of property owners and business owners who would pay at least 30% of the proposed assessment, to petition the Board of Supervisors to form a property and business improvement district, and (2) make conforming and clarifying changes to the procedural and substantive augmentation of state law governing the formation of property and business improvement districts.

FINALLY PASSED

061203 **[Approval of the sale of street flower market permit on Grant Avenue near Post Street and deletion of site location]**
Supervisor Peskin

Ordinance approving the sale of a street flower market permit pursuant to San Francisco Public Works Code Article 5, Section 161, and amending Public Works Code Article 5, Section 155 to delete the flower market location on the east sidewalk of Grant Avenue within 100 feet south of the southerly line of Post Street.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Severed from the Consent Agenda

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

Supervisors Daly and Dufty were noted present at 2:09 p.m.

061266 **[Public Employment - Public Defender]**
Supervisors Mirkarimi, Daly, Ammiano, Maxwell

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 1.0 Court Alternative Specialist I and 2.0 Social Workers in the Office of the Public Defender (PDR).

(Supervisor Peskin dissented in committee.)

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 4 - Alioto-Pier, Elsbernd, Ma, Peskin

061312 [Appropriating $2,166,000 to fund Laguna Honda Hospital increased costs for the Department of Public Health retroactive to Fiscal Year 2005-2006]
Supervisors Daly, Elsbernd

Ordinance appropriating $2,166,000 of Laguna Honda Hospital surplus revenues to fund increased costs in salaries, non-personal services, and materials and supplies for the Department of Public Health retroactive to Fiscal Year 2005-2006.

(Fiscal impact.)

FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier
Excused: 1 - McGoldrick

Recommendation of the Land Use and Economic Development Committee

050176 [Amending the Planning Code to make all massage establishments conditional uses]
Supervisors Ma, Maxwell, Sandoval

Ordinance amending Sections 218.1, 710.54, 711.54, 712.54, 713.54, 716.54, 717.54, 718.54, 719.54, 720.54, 721.54, 722.54, 723.54, 724.54, 725.54, 726.54, 727.54, 728.54, 729.54, 730.54, 810.54, 811.54, 812.54, 790.60 and 890.60 of the Planning Code to define massage establishments per Section 1900 of the Health Code, to provide that all massage establishments shall be permitted as conditional uses, to provide that non-incidental massage establishments must first obtain all required permits from the Health Department before seeking a conditional use permit, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisor McGoldrick dissented in committee.

Supervisor Dufty, seconded by Supervisor Ma, moved that this Ordinance be AMENDED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Continued to November 7, 2006

Supervisor Ma, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED AS AMENDED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendation of the Select Committee on Ending Gun & Gang Violence

060700 [Police Foot Patrols]
Supervisors Mirkarimi, Daly, Ammiano, Maxwell, Sandoval

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern, Park, Tenderloin, Mission, Ingleside, Taraval, Southern and Bayview Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendation of the Rules Committee

061343 [Confirmation of Mayor's Appointment - Port Commission]
Mayor

Resolution confirming the appointment of Rodney Fong to the San Francisco Port Commission, term ending May 1, 2010.

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061275 **[Appropriating $2,258,089 of General Fund Reserve for Violence Prevention in the Police Department, Adult Probation and Juvenile Probation for Fiscal Year 2006-2007.]**
Mayor

Ordinance appropriating $2,258,089 of General Fund Reserve for violence prevention programs, including $1,880,548 in the Police Department for additional salaries and overtime, $268,018 in the Adult Probation Department for salaries, overtime and equipment, $49,523 in the Juvenile Probation Department for increased overtime, and $60,000 in the Sheriff's Department for overtime for Fiscal Year 2006-2007; and authorizing retroactive payment of Police and Sheriff overtime. All funds appropriated below are placed on reserve pending review of actual expenditures and expenditure projections in the departments.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

061404 **[Increasing the distribution of uniform filing fees to the Law Library provided by the Business and Professions Code]**
Supervisor Peskin

Resolution increasing the distribution of uniform filing fees provided by Business and Professions Code sections 6321 and 6322.1 to defray Law Library expenses.

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendations of the City Operations and Neighborhood Services Committee

061235 **[Exemption from Requirement that Ambulances Carry Spare Tire and Jack]**
Resolution authorizing the San Francisco Fire Department to be exempt from California Code of Regulations Title 13, Division 2, Chapter 5, Article 1, Section 1103(e) and (f), requiring ambulances to carry spare tire and jack. (Fire Department)

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

061262 **[Parking Regulations - Balboa Reservoir]**
Supervisor Elsbernd

Resolution enacting and rescinding parking regulations at various locations.

1-HOUR TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
Ocean Avenue, north side, from Lee Avenue to Plymouth Avenue.

PARKING METER AREA 3, 2-HOUR, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Ocean Avenue, north side, from Lee Avenue to Plymouth Avenue.
Ocean Avenue, south side, from Brighton Avenue to Plymouth Avenue.

(9/11/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

061241 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Kearny Street, west side, from Broadway to 79 feet southerly.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Folsom Street, both sides, between 5th and 6th Streets; and,
South Van Ness Avenue, both sides, between Mission and Howard Streets.

NO PARKING ANYTIME - ESTABLISH
Market Street, west side, from the light pole, approximately 100 feet south of the driveway of 3550 Market Street to the driveway of 3620 Market Street (due to the absence of a sidewalk).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Folsom Street, north side, from 138 feet to 188 feet east of 2nd Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Leavenworth Street, east side, from the south side of the driveway of 808 Leavenworth Street to 20 feet southerly (20-foot space, accommodating 4 motorcycle parking spaces).

PARKING METER AREA NO. 2 (2-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Natoma Street, south side, between 5th and Mary Streets (portion of the 400 block)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Webster Street, along the terminus, south of Hermann Street (Unit Block); and, Webster Street, east side, from the terminus to 29 feet northerly (Unit Block).

NO PARKING ANYTIME - ESTABLISH
101 Lansdale Avenue, from 97 feet north of the southeast property line of 101 Lansdale Avenue to 112 feet west of the northeast property line of 101 Lansdale Avenue (along the inside of the curve adjacent to 101 Lansdale Avenue).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Pennsylvania Avenue, east side, from 23rd Street to 350 feet northerly.

PARKING METER AREA NO. 2, 7AM TO 6PM, 2-HOUR TIME LIMIT, MONDAY THROUGH SATURDAY - ESTABLISH Market Street, north side, from 12th Street to Van Ness Avenue (within the parking bay area).

TOW-AWAY NO STOPPING ANYTIME - ESTABLISH
Market Street, north side, from Page Street to 12th Street.

RESIDENTIAL PERMIT PARKING AREA 'U' - RESCIND
45 Lansing Street, Lot 59 of Block 3749 on the Unit block of Lansing Street. (Parking and Traffic Department) (Parking and Traffic Department)

(8/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3236.)

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Ma, seconded by Supervisor Maxwell, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

Supervisor Ma welcomed, introduced and presented a Certificate of Honor to Nancy Worthol.

RECESS

The Board recessed at the hour of 2:50 p.m.

Reconvening of the Board

The Board at the hour of 3:56 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin - 7

Supervisor Alioto-Pier was noted present at 4:10 p.m.
Supervisor McGoldrick was previously excused from today's attendance.

SPECIAL ORDER 4:00 P.M.

061292 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 1 La Avanzada Street (aka 250 Palo Alto Avenue)]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 3, 2006 (Case No. 2006.0787E), exempting from environmental review under Categorical Exemption, Class 1 [CEQA State Guidelines, Section 15301(b)], the proposed project at 1 La Avanzada Street (aka 250 Palo Alto Avenue). The proposal would replace four existing small receive-only antennas and add a fifth such antenna to the fifth level of Sutro Tower, and add four receive-only antennas to the roof of the existing control building. The project site is located on Mount Sutro and is zoned RH-1(D) (Residential, House - One Family, Detached) and is within a 40-X Height and Bulk District. (Appellant: Doris Linnenbach on behalf of Twin Peaks Improvement Association.)

President inquired as to whether or not any member of the public wished to address the Board members.

Walter Caplan, Representative for the appellant
Doris Linnenbach, Appellant
Robert D. Nachtigall, support of the appellant
Paul Maltzer, Planning Department Environmental Officer, review with the Board the Planning Department's recommendation
Robert McCarthy, Representative for the project sponsor
Gene Zastrow; General Manager of the Sutro Tower
Michael Degitz; Sprint/Nextel, support of the project sponsor
Debra Stein; support of the project sponsor
Marcela Medina; Univision and Telefutura; support of the project sponsor

Rebuttal Period:
Walter Caplan, Representative of the appellant
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

061293 **[Affirming the categorical exemption issued for the 1 La Avanzada Street project]**

Motion affirming the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - Daly, Sandoval
Excused: 1 - McGoldrick

061294 **[Disapproving the categorical exemption issued for the 1 La Avanzada Street project]**

Motion disapproving the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - Daly, Sandoval
Excused: 1 - McGoldrick

061295 [Preparation of findings related to the 1 La Avanzada Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 1 La Avanzada Street is exempt from environmental review under the California Environmental Quality Act.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - Daly, Sandoval
Excused: 1 - McGoldrick

COMMITTEE REPORTS

061419 [Resolution of Intention to form the Fisherman's Wharf Portside Community Benefit District]
Supervisor Peskin

Resolution (1) declaring the intention of the Board of Supervisors to establish a business-based business improvement district (community benefit district) to be known as the "Fisherman's Wharf Portside Community Benefit District" and levy a multi-year assessment on identified businesses in the district, (2) approving the management district plan for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing as required by law.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

061420 [Assessment Ballot for City Parcel]
Supervisor Daly

Resolution authorizing the Mayor to cast an assessment ballot in the affirmative on behalf of the City and County of San Francisco as the owner of one parcel of real property that would be subject to assessment in the proposed property and business improvement district to be named the Central Market Community Benefit District.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

ROLL CALL FOR INTRODUCTIONS

Supervisors Daly and Sandoval were noted absent at 2:25 p.m.

Supervisor Daly was noted present at 2:30 p.m.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdallah Megahed; expressed concern with issues relating to homelessness
Eulla Walters; expressed concern with the renaming of Ferry Park to Sue Bierman Park
Eugene Gordon, Jr.; expressed concern with issues relating to the violation of human rights
James Chaffee; expressed concern with issues relating to SF Public Library
Robin Few; showed interest with issues relating to sex workers
Walter; shared with the Board various memorabilia
Slyvia Johnson; expressed concern with issues relating to general issues
Don Price; expressed concern with issues relating to street violence

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061441 **[Urging BART Board of Directors to reconsider decision to allow alcohol advertising]**
Supervisors Ammiano, Maxwell, Dufty, Daly

Resolution urging the BART Board of Directors to reconsider its recent decision to permit alcohol advertising in BART stations and trains.

ADOPTED

061443 **[Supporting Proposition 86, the Tobacco Tax Act]**
Supervisor Ma

Resolution supporting Proposition 86, the Tobacco Tax Act.

ADOPTED

061445 **[Commending California State Senate Assistant President Pro Tempore Jackie Speier]**
Supervisor Sandoval

Resolution commending California State Senator Jackie Speier for nearly three decades of legislative service.

Supervisor Ma requested to be added as a co-sponsor.

ADOPTED

061446 [Proclaiming October 24, 2006 as Stoney, A Clown Who Rabble Rouses in Defense Of Free Speech, Day]
Supervisor Sandoval

Resolution proclaiming October 24, 2006 as Stoney Day.

ADOPTED

061444 [Waiver permitting City Employees to Assist the Department of Elections with the November 7, 2006 election]
Supervisor Peskin

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 7, 2006 election.

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

Severed From Without Reference to Committee Agenda

Supervisor Dufty requested that this matter be severed so that it might be considered separately

061442 [Continuing the Ongoing work of the Utility Undergrounding Task Force]
Supervisor Dufty

Resolution continuing the ongoing work of the Utility Undergrounding Task Force to advise the City and County of San Francisco on the future of the utility undergrounding process in San Francisco and to complete its work by October 31, 2006.

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to approve the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

061462 **[Commending Respiratory Care Workers for their Contributions to the Medical Community and Recognizing Respiratory Care Week 2006]**

Supervisor Dufty

Resolution commending Respiratory Care Workers for their Contributions to the Medical Community and Recognizing Respiratory Care Week 2006.

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

061464 **[Supporting Proposition 87 and declaring October 24, 2006 Oil Addiction Awareness Day]**

Supervisors Peskin, Mirkarimi

Resolution supporting Proposition 87 and declaring October 24, 2006 Oil Addiction Awareness Day.

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

061463 **[Commending Victoria Manalo Draves]**

Supervisor Daly

Resolution commending Olympic medalist Victoria Manalo Draves for her outstanding athletic achievements and contributions to the South of Market community as a role model, and declaring October 27, 2006 as Victoria Manalo Draves Day in the City and County of San Francisco.

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - Daly, Sandoval
Excused: 1 - McGoldrick

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

061401 **[Settlement of Lawsuit - Daniel Kuhstoss]**

Ordinance authorizing settlement of the lawsuit filed by Daniel Kuhstoss against the City and County of San Francisco for $465,000; the lawsuit was filed on April 18, 2005 in San Francisco Superior Court, Case No. 440-542; entitled Daniel Kuhstoss, et al., v. City and County of San Francisco, et al. (City Attorney)

10/11/06, RECEIVED AND ASSIGNED to Rules Committee.

061402 **[Settlement of Lawsuit - Kevin Roy Jordan]**

Ordinance authorizing settlement of the lawsuit filed by Kevin Roy Jordan against the City and County of San Francisco for $100,000.00; the lawsuit was filed on February 21, 2003 in United States District Court, Case No. C03-1194; entitled Kevin Jordan, et al., v. City and County of San Francisco, et al. (City Attorney)

10/11/06, RECEIVED AND ASSIGNED to Rules Committee.

061403 **[Settlement of Lawsuit - Vilda and Amber Curry]**

Ordinance authorizing settlement of the lawsuit filed by Vilda Curry and Amber Curry, by and through her guardian ad litem, Vilda Curry against the City and County of San Francisco for $625,000; the lawsuit was filed on March 31, 2003 in San Francisco Superior Court, Case No. 417-407; entitled Vilda Curry, et al. v. City and County of San Francisco, et al. (City Attorney)

10/11/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

061400 **[Authorizing Tax Collector Attorney to file suit against responsible relative of recipient of services at City hospitals to recover value of services]**

Resolution authorizing Tax Collector Attorney to file suit against responsible relative to recover value of services rendered at hospital facilities operated by the San Francisco Department of Public Health. (Treasurer-Tax Collector)

10/13/06, RECEIVED AND ASSIGNED to Rules Committee.

061412 **[Request authorization by the Board to adopt the County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2006-07]**

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2006-07 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2006-07. (Public Health Department)

10/13/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061413 **[Settlement of Grievance - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 ("Union")]**

Resolution approving the settlement of the grievance (ERD No. 40-05-1446) filed by United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 ("Union") on behalf of Grievants against the City and County of San Francisco for $167,090.33. Other material term of said settlement is that Grievants and Union shall release all claims relating to the aforementioned grievance (ERD No. 40-05-1446). (Human Resources Department)

10/16/06, RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

There being no further business the Board adjourned at the hour 5:20 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

VOTES

MEETING MINUTES - DRAFT

DOCUMENTS DEPT.
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SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, October 31, 2006 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisors Daly and McGoldrick were noted absent.

There was a quorum.

Supervisor McGoldrick was noted present at 2:05p.m.
Supervisor Daly was noted present at 2:07 p.m.

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

061275 **[Appropriating $2,258,089 of General Fund Reserve for Violence Prevention in the Police Department, Adult Probation and Juvenile Probation for Fiscal Year 2006-2007.]**
Mayor

Ordinance appropriating $2,258,089 of General Fund Reserve for violence prevention programs, including $1,880,548 in the Police Department for additional salaries and overtime, $268,018 in the Adult Probation Department for salaries, overtime and equipment, $49,523 in the Juvenile Probation Department for increased overtime, and $60,000 in the Sheriff's Department for overtime for Fiscal Year 2006-2007; and authorizing retroactive payment of Police and Sheriff overtime. All funds appropriated below are placed on reserve pending review of actual expenditures and expenditure projections in the departments.

FINALLY PASSED

Recommendations of the Rules Committee

061359 **[Settlement of Lawsuit - CCSF v. William D. Spencer, F. W. Spencer & Son, Inc., et. al.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against William D. Spencer, F.W. Spencer & Son, Inc., Brisbane Mechanical Company, Bruce Bonar, Lou Thomas, William McGahan (together, the "Spencer Parties"), A. Answer, Inc. and Troy's Contracting, Inc. on January 16, 2004 in San Francisco Superior Court, Case No. CGC –04-429249, entitled, City and County of San Francisco et. al. v. F. W. Spencer & Son, Inc. et. al., with (a) the Spencer Parties paying $2,000,000 by January 24, 2007, and dismissing its actions and cross-actions against the City and others and the Spencer Parties releasing all claims on the Moscone Center Expansion Project and The San Francisco Jail Replacement No. 3 Project ; and (b) A. Answer, Inc. and Troy's Contracting, Inc. paying $124,000 within 60 days of final approval of this settlement. The Spencer Parties' action was brought against San Francisco, City Attorney Dennis Herrera and others, and was coordinated as part of the California Judicial Council Coordination Proceeding No. 4379. (City Attorney)

PASSED, ON FIRST READING

061405 **[Appointment - Veterans Affairs Commission]**

Resolution appointing Michael Thompson, term ending January 31, 2009, to the Veterans Affairs Commission.

Michael Thompson, succeeding himself, term expired, seat 2, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2009.

ADOPTED

061406 **[Appointment - Asthma Task Force]**

Resolution appointing Tiffany Sutter, term ending June 30, 2007, to the Asthma Task Force, residency requirement waived.

Tiffany Sutter, succeeding Micah McLorin, resigned, seat 13, must be a representative of lung health/asthma-specific organizations and is a voting member, for the unexpired portion of a two-year term ending June 30, 2007.

ADOPTED

061407 **[Appointment - Local Homeless Coordinating Board]**

Resolution appointing Ginger Martin, term ending October 21, 2010, to the Local Homeless Coordinating Board.

Ginger Martin, succeeding Rev. Harry Chuck, resigned, seat 4, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a five-year term ending October 21, 2010.

ADOPTED

061410 **[Appointment - Pedestrian Safety Advisory Committee]**

Resolution appointing Howard Strassner, term ending March 28, 2008, to the Pedestrian Safety Advisory Committee.

Howard Strassner, succeeding himself, term expired, seat 7, must be a representative from transit or environmental organization, for the unexpired portion of a two-year term ending March 28, 2008.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Rules Committee

061344 **[Confirmation of Mayor's Appointment - Treasure Island Development Authority]**
Mayor

Resolution confirming the appointment of Owen Stephens to the Treasure Island Development Authority Board of Directors, term ending April 28, 2010.

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

061345 **[Confirmation of Mayor's Reappointment - Treasure Island Development Authority]**
Mayor

Resolution confirming the reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, term ending April 28, 2010.

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061373 **[Appropriating $10,675,589 of State and Federal revenues for various programs in the Department of Human Services for Fiscal Year 2006-2007]**
Mayor, Supervisor Dufty

Ordinance authorizing the Department of Human Services to accept and expend a Federal food stamps grant in the amount of $999,993, and appropriating $10,675,589 of State and Federal revenues for CalWORKS Work Participation Program, the Family and Children's Services Child Welfare Services Program, the Food Stamps Outreach Program, the Housing and Homeless Management Information System Program, and the Workforce Development's Food Stamps Employment and Training Program in the Department of Human Services for Fiscal Year 2006-2007.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

061374 **[Public Employment - Human Services Agency]**
Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 35.8 new positions at the Human Services Agency.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

061391 **[Contract With Anticipated Expenditure in Excess of $10 Million]**
Resolution approving the Fourth Amendment to the Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for hauling services, resulting in total compensation to the Contractor in an amount not to exceed $10,480,000, pursuant to San Francisco Charter Section 9.118(b). (Purchaser)

Supervisor Daly was noted present at 2:07 p.m.

Resolution No. 608-06

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Land Use and Economic Development Committee

061210 **[Allowing advertising on E-Line and Third Street Light Rail Line boarding platforms]**
Supervisor Maxwell

Ordinance amending Article 6 of the San Francisco Planning Code by amending Section 603 thereof, to permit transit shelter advertising on public transit boarding platforms in connection with the E-Line and Third Street Light Rail Line projects; and adopting findings pursuant to City Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

061167 **[Authorizing the City to contribute to the payment of funeral costs of City employees who have died in the line of duty]**
Supervisors Peskin, Mirkarimi, Ammiano, Dufty

Ordinance amending the San Francisco Administrative Code by adding Section 16.7, to authorize the City to contribute to the payment of funeral costs of City employees who have died in the line of duty, including payments retroactive to July 1, 2006.

Supervisor Dufty requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061245 **[Appointment - Graffiti Advisory Board]**
Resolution appointing Don Bechler, for an indefinite term, to the Graffiti Advisory Board.

Don Bechler, succeeding Machaela Hoctor, resigned, seat 10, must be an at-large member knowledgeable in graffiti issues, for an indefinite term.
Supervisor Elsbernd dissented in committee.

NOT ADOPTED by the following vote:
Ayes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval
Noes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin

Supervisor Daly Excused From Voting

Supervisor McGoldrick, seconded by Supervisor Ma, moved to excuse Supervisor Daly from voting on this matter. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061409 **[Appointment - Association of Bay Area Governments Executive Board]**
Resolution appointing Supervisor Chris Daly, term ending June 30, 2007, to the Association of Bay Area Governments Executive Board.

Supervisor Chris Daly, succeeding Supervisor Fiona Ma, resigned, seat 1, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2007.

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

RECESS

The Board recessed at the hour of 2:49 p.m.

Reconvening of the Board

The Board at the hour of 3:03 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin - 9

Supervisor Dufty was previously excused at 2:45 p.m.
Supervisor Sandoval was noted absent at 3:03 p.m.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

061392 [Hearing - Central Market Community Benefit District]

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Central Market Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for seven years, commencing with fiscal year 2006-2007, subject to conditions as specified, and making environmental findings. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Speakers in support of the Central Market Community Benefit District:
Sharon Slater, Greg Johnston, Bernadette Walker; Carolyn Diamond, Mike Yarney

Speakers Opposed to the Central Market Community Benefit District:
John Nulty, Michael Nulty, and April Venorosa expressed concern but not opposition, Jesse Collins, opposed

The President requested the Clerk of the Board to contact the Department of Elections and ask if the processing of the submitted ballots had been completed.

The Clerk of the Board informed the President that the Department of Elections had finished processing the ballots submitted.
The President declared the Public Hearing closed.
Tabulation of the ballots cast began by the Department of Elections.
HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

Supervisor McGoldrick was noted absent at 4:04 p.m.

061393 **[Resolution to establish the Central Market Community Benefit District]**
Supervisor Daly

Resolution establishing a property-based business improvement district to be known as the "Central Market Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for seven years, commencing with fiscal year 2006-2007, subject to conditions as specified, and making environmental findings.

The Clerk of the Board announced the tabulations of the Central Market Community Benefit District:
Voting For 68.51%
Voting Against 31.49%

ADOPTED by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval
Excused: 1 - Dufty

RECESS

The Board recessed at the hour of 3:17 p.m.

Reconvening of the Board

The Board at the hour of 3:32 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin - 9

Supervisor Dufty was previously excused at 2:45 p.m.
Supervisor Sandoval was noted absent at 3:03 p.m.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Ammiano, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Dufty

Supervisor Maxwell welcomed, introduced and presented a Certificate of Honor to Principal of the Visitacion Valley Middle School.

RECESS

The Board recessed at the hour of 3:36 p.m.

Reconvening of the Board

The Board at the hour of 4:04 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin - 9

Supervisor Dufty was previously excused at 2:45 p.m.
Supervisor Sandoval was noted absent at 3:03 p.m.

SPECIAL ORDER 4:00 P.M.

Supervisor McGoldrick was noted present at 4:07 p.m.

061327 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 2564 Sutter Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 29, 2006 (Case No. 2005.0486E), exempting from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 (Class 1)], the proposed project at 2564 Sutter Street. The proposal would alter and add to an existing 29-foot tall, one-and-a-half-story over basement single-family residence to create an approximately 40-foot tall, four-story over basement, three-unit residential building. The proposed project includes 1) raising the structure to create a basement parking garage; 2) a 2-story, stepped-back, vertical addition that would increase the height to approximately 40-feet; 3) a 3-level horizontal (to the rear) addition that would extend the existing building to within approximately 34 feet of the rear property line; and 4) interior renovations of the existing building and alterations of the facade. A new garage, stairway and front door entry, as well as the alteration/enlargement of the basement level and related windows would be visible at the front facade. The project site is within the RH-3 (Residential, House, Three-Family) zoning district and within a 40-X height and bulk district. (Appellant: Stephen M. Williams)

Continued to November 14, 2006

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Dufty

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

061328 **[Affirming the categorical exemption issued for the 2564 Sutter Street project]**

Motion affirming the determination by the Planning Department that the 2564 Sutter Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to November 14, 2006

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Dufty

061329 **[Disapproving the categorical exemption issued for the 2564 Sutter Street project]**

Motion disapproving the determination by the Planning Department that the 2564 Sutter Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to November 14, 2006

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Dufty

061330 **[Preparation of findings related to the 2564 Sutter Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2564 Sutter Street is exempt from environmental review under the California Environmental Quality Act.

Continued to November 14, 2006

CONTINUED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Dufty

COMMITTEE REPORTS

060396 [Slavery Era Disclosure]
Supervisors Maxwell, Mirkarimi, Ammiano, Dufty, Daly, Alioto-Pier, McGoldrick, Ma, Sandoval

Ordinance amending the San Francisco Administrative Code by adding Chapter 12W, Sections 12W.1 through 12W.7, to require contractors providing insurance and insurance services, financial services, or textiles to the City to disclose any participation in the slave trade, and creating an account, to which contractors subject to this ordinance, and others, may make voluntary contributions, and requiring that monies donated to this account be used to fund economic development and educational initiatives designed to ameliorate the effects of slavery upon the residents of San Francisco.

Supervisors Dufty, Daly, Alioto-Pier, McGoldrick, Ma, Sandoval requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues related to a candidate for Supervisor
Mike Petrais; showed interest with issues related to the Department of Public Health Commission meetings
Eugene Gordon, Jr.; expressed concern with issues related to the violations of human rights
Male speaker; expressed apologies to the Members of the Board of Supervisors
Eulla Walters; expressed concern with the renaming of Ferry Park to Sue Bierman Park
John Di Donna; expressed concern with issues related to high rise development in San Francisco
James Chaffee; expressed concern with issues related to the San Francisco Public Library
John Hamlin; showed interest with issues related to the City College mural and suggested to landmark the mural
Walter; shared with the Board various memorabilia
Robin Crop; expressed concern with issues related with Lyme disease
Melissa Thomas; expressed concern with issues related to the war against drugs and evictions
Tom McDonagh; showed interest in the building of homes in San Francisco

Supervisor Dufty Excused

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved Supervisor Dufty Excused
President announced he had excused Supervisor Dufty from the remainder of the meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061471 **[Accept-Expend State Grant - Life and Annuity Consumer Protection Program]**
Supervisor Elsbernd

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $50,000 through the California Department of Insurance for a program entitled "Life and Annuity Consumer Protection" for fiscal year July 2006 through June 2007.

ADOPTED

061473 **[Accept and Expend State grants - Department of Public Health]**
Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to retroactively accept and expend a five new grants totaling $11,122.63, four from the California Department of Food and Agriculture (CDFA) and one from the California Department of Pesticide Regulation (CDPR); for the period of July 1, 2006 through June 30, 2007.

ADOPTED

061474 **[Biordi Art Imports Day]**
Supervisors Peskin, Elsbernd

Resolution commending Gianfranco Savio for his invaluable contributions and declaring November 15, 2006 Biordi Art Imports Day in San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.
ADOPTED

061481 **[Final Map 4018 - 2889 24th Street]**
Motion approving Final Map 4018, a 10 Unit Mixed – Use Condominium Project, located at 2889 24th Street being a subdivision of Lot 36 in Assessors Block No. 4268 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

APPROVED

061482 **[Final Map - 600 Portola Drive]**
Motion approving Final Map 2274, a 18 Unit Mixed-Use Condominium Project, located at 600 Portola Drive Street being a subdivision of Lot 1 in Assessors Block No. 2892 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Severed from the Without Reference to Committee Agenda

Supervisor Ma requested that this matter be severed so that it might be considered separately.

061472 **[Recognizing the Vietnamese Heritage and Freedom Flag]**
Supervisor Ma

Resolution recognizing the Vietnamese Heritage and Freedom Flag as the symbol of the Vietnamese American community.

Amended on page 1 by deleting lines 16 - 20.

Supervisor Ma, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Supervisor Daly requested to be added as a co-sponsor.

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

061451 **[Settlement of Lawsuit - People v. California Pacific Medical Group]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco on behalf of the People of the State of California, against California Pacific Medical Group, Inc., dba Brown and Toland Medical Group, on April 10, 2006 in San Francisco Superior Court, Case No. CGC-06451051, entitled The People of the State of California, et al. v. California Pacific Medical Group, Inc., dba Brown and Toland Medical Group. (City Attorney)

10/19/06, RECEIVED AND ASSIGNED to Rules Committee.

061452 **[Settlement of Lawsuit - CCSF, et. al. v. Landavazo Brothers, Inc., et. al.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco as a qui tam plaintiff and party against (a) Landavazo Bros., Inc. and its owners and (b) George, Theodore, Derrick and John Landavazo (together, the "Landavazos") on June 14, 2001, in United States District Court For the Northern District of California, Case No. C-01-2315 MHP, entitled, City and County of San Francisco et. al. v. Landavazo Brothers, Inc., et. al., with the Landavazos paying: (a) $100,000 within 10 days of the final approval of the settlement ; (b) making sixty-five (65) monthly payments of $7,500, beginning January 5, 2007; and (c) the City paying to the San Francisco Bay Area Rapid Transit District (BART") therefrom $50,000, with $25,000 to come from the initial payment and the balance to be paid at $2,500 from the next ten (10) payments. The Landavazos are also to forego bidding on, or performing any work on San Francisco or BART projects through December 31, 2008. (City Attorney)

10/20/06, RECEIVED AND ASSIGNED to Rules Committee.

061480 **[Zoning Map Amendment for 915 Cayuga Avenue]**

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco in order to shift a zoning district boundary which is located entirely within Assessor's Block 6954 Lot 033 and which divides an RH-1 (Residential, House, One Family) District from an NC-3 (Neighborhood Commercial, Moderate Scale) District approximately 20 feet in a northwesterly direction to increase the portion of the lot that is zoned NC-3; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b). (Planning Department)

10/19/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. (SUPPORTING DOCUMENTS: Planning Resolution 17318; Executive Summary; Exemption from Environmental Review and rezoning map.)

PROPOSED RESOLUTIONS

061449 **[Settlement of Unlitigated Claim - Fred Finch Youth Center]**

Resolution approving the settlement of the unlitigated claim filed by the Fred Finch Youth Center against San Francisco for $50,000; claim was filed on October 13, 2005. (City Attorney)

10/18/06, RECEIVED AND ASSIGNED to Rules Committee.

061450 **[Settlement of Unlitigated Claim - Unified Teldata]**

Resolution approving the settlement of the unlitigated claim filed by Unified Teldata against San Francisco for $44,381.55; claim was filed on August 10, 2006. (City Attorney)

10/18/06, RECEIVED AND ASSIGNED to Rules Committee.

061460 **[Accept-Expend State Grant - Sheriff's, Adult Probation and Juvenile Probation Departments]**

Resolution authorizing the Sheriff's Department, Adult Probation Department and Juvenile Probation Department of the City and County of San Francisco to apply for, accept and expend $513,500 in funds from the Corrections Standards Authority for the standards and training of local corrections and probation officers programs; stipulating adherence to standards for recruitment and training established by the Corrections Standards Authority, waiving any indirect costs. (Sheriff)

10/17/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061461 **[Prevailing wages for workers on public works/improvement projects, workers doing janitorial services, workers in public off-street parking lots, garages, or auto storage facilities, workers in theatrical services; and workers performing moving services]**

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; and (5) workers performing moving services under City contracts at facilities owned or leased by the City.

10/20/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061479 **[Airport Concession Lease]**

Resolution approving Amendment No. 6 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

10/17/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:09 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

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Tuesday, November 7, 2006 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisors Alioto-Pier and Ammiano were noted absent.

There was a quorum.

Supervisor Alioto-Pier was noted present at 2:20 p.m.

Supervisor Ammiano Excused From Attendance

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved to excuse Supervisor Ammiano from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to approve the October 3, 2006 and October 17, 2006 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Ammiano

COMMUNICATIONS

Gloria L. Young, Clerk of the Board, informed the Board that the Clerk of the Board's Office was in receipt of a communication from the Mayor vetoing File No. 060700 legislation which mandates specific deployment of police officers.

The matter will be on the November 14, 2006 Board agenda for consideration.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

061373 **[Appropriating $10,675,589 of State and Federal revenues for various programs in the Department of Human Services for Fiscal Year 2006-2007]**
Mayor, Supervisor Dufty

Ordinance authorizing the Department of Human Services to accept and expend a Federal food stamps grant in the amount of $999,993, and appropriating $10,675,589 of State and Federal revenues for CalWORKS Work Participation Program, the Family and Children's Services Child Welfare Services Program, the Food Stamps Outreach Program, the Housing and Homeless Management Information System Program, and the Workforce Development's Food Stamps Employment and Training Program in the Department of Human Services for Fiscal Year 2006-2007.

(Fiscal impact.)

FINALLY PASSED

061374 **[Public Employment - Human Services Agency]**
Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 35.8 new positions at the Human Services Agency.

(Fiscal impact.)

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

061210 **[Allowing advertising on E-Line and Third Street Light Rail Line boarding platforms]**
Supervisor Maxwell

Ordinance amending Article 6 of the San Francisco Planning Code by amending Section 603 thereof, to permit transit shelter advertising on public transit boarding platforms in connection with the E-Line and Third Street Light Rail Line projects; and adopting findings pursuant to City Planning Code Section 101.1.

FINALLY PASSED

Recommendations of the Rules Committee

060396 **[Slavery Era Disclosure]**
Supervisors Maxwell, Mirkarimi, Ammiano, Dufty, Daly, Alioto-Pier, McGoldrick, Ma, Sandoval

Ordinance amending the San Francisco Administrative Code by adding Chapter 12W, Sections 12W.1 through 12W.7, to require contractors providing insurance and insurance services, financial services, or textiles to the City to disclose any participation in the slave trade, and creating an account, to which contractors subject to this ordinance, and others, may make voluntary contributions, and requiring that monies donated to this account be used to fund economic development and educational initiatives designed to ameliorate the effects of slavery upon the residents of San Francisco.

FINALLY PASSED

061167 **[Authorizing the City to contribute to the payment of funeral costs of City employees who have died in the line of duty]**

Supervisors Peskin, Mirkarimi, Ammiano, Dufty

Ordinance amending the San Francisco Administrative Code by adding Section 16.7, to authorize the City to contribute to the payment of funeral costs of City employees who have died in the line of duty, including payments retroactive to July 1, 2006.

FINALLY PASSED

061359 **[Settlement of Lawsuit - CCSF v. William D. Spencer, F. W. Spencer & Son, Inc., et. al.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against William D. Spencer, F.W. Spencer & Son, Inc., Brisbane Mechanical Company, Bruce Bonar, Lou Thomas, William McGahan (together, the "Spencer Parties"), A. Answer, Inc. and Troy's Contracting, Inc. on January 16, 2004 in San Francisco Superior Court, Case No. CGC –04-429249, entitled, City and County of San Francisco et. al. v. F. W. Spencer & Son, Inc. et. al., with (a) the Spencer Parties paying $2,000,000 by January 24, 2007, and dismissing its actions and cross-actions against the City and others and the Spencer Parties releasing all claims on the Moscone Center Expansion Project and The San Francisco Jail Replacement No. 3 Project ; and (b) A. Answer, Inc. and Troy's Contracting, Inc. paying $124,000 within 60 days of final approval of this settlement. The Spencer Parties' action was brought against San Francisco, City Attorney Dennis Herrera and others, and was coordinated as part of the California Judicial Council Coordination Proceeding No. 4379. (City Attorney)

FINALLY PASSED

061401 **[Settlement of Lawsuit - Daniel Kuhstoss]**

Ordinance authorizing settlement of the lawsuit filed by Daniel Kuhstoss against the City and County of San Francisco for $465,000; the lawsuit was filed on April 18, 2005 in San Francisco Superior Court, Case No. 440-542; entitled Daniel Kuhstoss, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061402 **[Settlement of Lawsuit - Kevin Roy Jordan]**

Ordinance authorizing settlement of the lawsuit filed by Kevin Roy Jordan against the City and County of San Francisco for $100,000.00; the lawsuit was filed on February 21, 2003 in United States District Court, Case No. C03-1194; entitled Kevin Jordan, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061403 **[Settlement of Lawsuit - Vilda and Amber Curry]**

Ordinance authorizing settlement of the lawsuit filed by Vilda Curry and Amber Curry, by and through her guardian ad litem, Vilda Curry against the City and County of San Francisco for $625,000; the lawsuit was filed on March 31, 2003 in San Francisco Superior Court, Case No. 417-407; entitled Vilda Curry, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061413 **[Settlement of Grievance - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 ("Union")]**

Resolution approving the settlement of the grievance (ERD No. 40-05-1446) filed by United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 ("Union") on behalf of Grievants against the City and County of San Francisco for $167,090.33. Other material term of said settlement is that Grievants and Union shall release all claims relating to the aforementioned grievance (ERD No. 40-05-1446). (Human Resources Department)

ADOPTED

061408 **[Appointment - Asthma Task Force]**

Resolution appointing Nadia Thind, term ending June 30, 2007, to the Asthma Task Force.

Nadia Thind, succeeding Gretchen Skaggs, resigned, seat 3, must be a representative of a childcare coordinating/advocacy organization and is a voting member, for the unexpired portion of a two-year term ending June 30, 2007.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Ammiano

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

061483 **[Adopting findings related to affirming the categorical exemption issued for the 1 La Avanzada Street project]**

Motion adopting findings related to affirming the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act.

APPROVED by the following vote:

Ayes: 9 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Ammiano

Recommendation of the Land Use and Economic Development Committee

050176 **[Amending the Planning Code to make all massage establishments conditional uses]**
Supervisors Ma, Maxwell, Sandoval

Ordinance amending Sections 218.1, 710.54, 711.54, 712.54, 713.54, 716.54, 717.54, 718.54, 719.54, 720.54, 721.54, 722.54, 723.54, 724.54, 725.54, 726.54, 727.54, 728.54, 729.54, 730.54, 810.54, 811.54, 812.54, 790.60 and 890.60 of the Planning Code to define massage establishments per Section 1900 of the Health Code, to provide that all massage establishments shall be permitted as conditional uses, to provide that non-incidental massage establishments must first obtain all required permits from the Health Department before seeking a conditional use permit, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - McGoldrick
Absent: 1 - Daly
Excused: 1 - Ammiano

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061370 **[Contract Amendment - CCSF and CBS Outdoor]**
Supervisor Maxwell

Ordinance approving Fourth Amendment to Advertising Transit Shelter Agreement between the City and County of San Francisco and CBS Outdoor, to permit the contractor to advertise on the Third Street light rail vehicle platforms in exchange for maintenance of those platforms; to add shelters to the E-Line boarding islands; and retroactively consenting to the voluntary assignment of the Agreement from Outdoor Systems to Infinity Outdoor, and from Infinity Outdoor to Viacom Outdoor (now known as CBS Outdoor).

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Ammiano

061510 **[Contract Amendment - CCSF and CBS Outdoor]**
Ordinance approving Fourth Amendment to Advertising Transit Shelter Agreement between the City and County of San Francisco and CBS Outdoor, to extend the agreement six months.

(Supervisor Daly dissenting in committee.)

NOT PASSED ON FIRST READING by the following vote:
Ayes: 5 - Alioto-Pier, Dufty, Ma, Peskin, Sandoval
Noes: 5 - Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi
Excused: 1 - Ammiano

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to rescind the previous vote.
Motion to rescind the vote carried without objection.

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Ma, Maxwell, McGoldrick, Peskin
Noes: 4 - Daly, Elsbernd, Mirkarimi, Sandoval
Excused: 1 - Ammiano

061428 **[Appropriating $1,250,941 of Federal, State and General Fund Reserve to support overtime costs in the Sheriff's Department for Fiscal Year 2006-2007]**
Mayor, Supervisors Daly, Dufty, Mirkarimi

Ordinance appropriating $433,881 Federal revenue, $181,609 State revenue and $635,451 General Fund reserve to retroactively support overtime costs related to the staffing of one additional inmate Pod at the San Bruno Jail and increased boarding of prisoners in the Sheriff's Department for Fiscal Year 2006-2007, and placing $667,530 on Financial Committee reserve pending review of actual overtime expenditures.

(Fiscal impact.)

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 1 - Peskin
Absent: 1 - Alioto-Pier
Excused: 1 - Ammiano

061475 **[Contract with anticipated expenditure in excess of $10 million]**

Resolution approving the Fifth Amendment to the agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for hauling services, resulting in total compensation to the contractor in an amount not to exceed $10,650,000, pursuant to San Francisco Charter Section 9.118(b).

ADOPTED by the following vote:

Ayes: 9 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Ammiano

060484 **[Authorizing the Department of Telecommunications and Information Services to amend its contract with Motorola, Inc. to exceed $20 million and extend the time for an additional ten years]**
Supervisor Elsbernd

Resolution authorizing the Department of Telecommunications and Information Services to enter into the Sixth Amendment between the City and Motorola, Inc., to increase the authorization for the contract' s anticipated expenditures to $20 million, and extend the time of the contract.

(Fiscal impact.)

ADOPTED by the following vote:

Ayes: 9 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Ammiano

Supervisor Alioto-Pier was noted present at 2:20 p.m.

Recommendations of the Land Use and Economic Development Committee

061376 **[Rent Ordinance: applies to units where a tenant's occupancy predates federal low income housing tax credits]**
Supervisors Peskin, Maxwell, McGoldrick, Mirkarimi

Ordinance amending Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37, "Rent Ordinance") by amending the Section 37.2(r)(4) definition of "rental units" covered by the ordinance to include units in buildings for which tax credits are reserved or obtained pursuant to the federal low income housing tax credit program (LIHTC, Section 42 Internal Revenue Code, 26 U.S.C. Section 42), where: a tenant's occupancy pre-dates recordation of the LIHTC regulatory agreement; and, the rent is not otherwise controlled or regulated by any use restrictions imposed by the San Francisco Redevelopment Agency, the State of California Office of Housing and Community Development, the United States Department of Housing and Urban Development or the City. This change will encompass rental units where the qualifying tenant is in possession of the unit on or after the effective date of this ordinance, including any unit where the tenant has been served with a notice to quit but has not vacated the unit and there is no final judgment against the tenant for possession of the unit prior to the effective date of this ordinance, including any unit where the tenant has been served with a notice to quit but has not vacated the unit and there is no final judgment against the tenant for possession of the unit prior to the effective date of this ordinance.

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd
Excused: 1 - Ammiano

061238 **[Zoning Map Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and Geary Streets, Block 0312, Lot 003]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sheet 1 of the Zoning Map of the City and County of San Francisco to change the use district designation of Assessor's Block 0312, Lot 003 from C-3-R 3 (Downtown Retail) to C-3-O (Downtown Office), and amending Sheet 1H of the Zoning Map to change the height and bulk district classification of Assessor's Block 0312, Lot 003 from 80-130-F to 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

061237 **[General Plan Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and Geary Streets, Block 0312, Lot 003]**
Supervisor Daly

Ordinance amending the General Plan of the City and County of San Francisco by amending Map 1 (Downtown Land Use and Density Plan) and Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan to change the land use designation of Assessor's Block 0312, Lot 003 from Downtown Retail to Downtown Office and the height and bulk district classification from 80-130-F to a 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the Priority Policies of Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Recommendations of the Rules Committee

061456 **[Confirmation - San Francisco Redevelopment Agency]**

Resolution confirming the reappointment of Leroy King by the Mayor, term ending September 3, 2010, to the San Francisco Redevelopment Agency.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Supervisor McGoldrick Excused From Voting

Supervisor Daly, seconded by Supervisor Mirkarimi, moved to excuse Supervisor McGoldrick from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Ammiano, McGoldrick

061458 **[Appointment - California State Association of Counties]**

Resolution appointing Supervisor Jake McGoldrick, term ending November 28, 2007, to the California State Association of Counties Board of Directors.

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Ammiano, McGoldrick

061459 **[Appointment - California State Association of Counties]**

Resolution appointing Supervisor Chris Daly, term ending November 28, 2007, as an alternate member to the California State Association of Counties Board of Directors.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

SPECIAL ORDER 3:00 P.M.

061417 **[Hearing -Tentative Parcel Map, 455 Buena Vista East]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 3, 2006, approving a proposed Tentative Parcel Map to create a 2-Lot Subdivision project located at 455 Buena Vista Avenue, Lot 270 in Assessor's Block 2607. (Appellant: Peter Yedidia).

(Filed October 13, 2006; companion measure to Files 061487, 061488, 061489; District 8.)

President inquired as to whether or not any member of the public wished to address the Board members.

Peter Yedidia, Appellant
Erich Stratmann, support of the appellant
Bruce Storrs, City and County Surveyor, representing the Dept of Public Works
Dan Sider, Planning, Department Representative
Jay Slavenson, Principle Architect, representative for the project sponsor
Steven Pellets, support of the project sponsor
Marie Grabens; support of the project sponsor

Rebuttal Period:
Erich Stratmann

Continued to December 12, 2006.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Ammiano

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

061487 **[Approving decision of the Director of Public Works and approving the Tentative Parcel Map for 455 Buena Vista East]**

Motion approving decision of the Director of Public Works and approving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to December 12, 2006.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Ammiano

061488 **[Disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for 455 Buena Vista East]**

Motion disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to December 12, 2006.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Ammiano

061489 **[Preparation of findings related to the Tentative Parcel Map appeal for 455 Buena Vista East]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to December 12, 2006.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Ammiano

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Ammiano

Supervisor Maxwell welcomed, introduced and presented a Certificate of Honor to the Food Security Task Force.

Supervisor Maxwell welcomed, introduced and presented a Certificate of Honor to Joyce Lazer in recognition of Lung Cancer Awareness Month.

COMMITTEE REPORTS

061213 [Approving a General Plan Amendment Related to the Trinity Plaza Project at Market and 8th Streets]
Supervisor Daly

Ordinance amending the San Francisco General Plan by amending the height and bulk districts found on "Map 5 - Proposed Height and Bulk Districts," and referred to in Policy 13.1 of the Downtown Area Plan, for the proposed Trinity Plaza Special Use District, which encompasses the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, by changing the height and bulk classification from 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; adopting environmental findings and findings that the proposed General Plan amendments are consistent with the General Plan and eight Priority Policies of Planning Code Section 101.1.

NOT PASSED ON FIRST READING by the following vote:
Ayes: 5 - Daly, Dufty, Elsbernd, Ma, Mirkarimi
Noes: 5 - Alioto-Pier, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ammiano

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Supervisor Daly and Dufty were noted absent at 2:35 p.m.
Supervisor Dufty was noted present at 2:41 p.m.

Abdullah Megaheed; expressed concern with issues related to the homeless
Lenard Walse, expressed concern with surveillance at the Ellis Griffin Housing Development and the conduct of residents
Mike Petrais; showed interest with issues relating to the Department of Public Health Commission meetings
James Chaffee; expressed concern with issues relating to the San Francisco Public Library
Male speaker, expressed concern over various issues
Kathern Perry, expressed concern with issues relating to discrimination and the use of the City Hall Press Room.
Ace Washington, expressed concern with issues relating to discrimination and the use of the City Hall Press Room
Eugene Gordon, Jr.; expressed concern with issues related to the violations of human rights
Sylvia Johnson, expressed concern relating to various issues
Maxine Dugan, expressed concern with issues relating to the protection of sex workers
Peter Warfied, expressed concern with issues relating to the San Francisco Public Library
Female speaker, expressed concern with issues related to the protection of sex workers
Eulla Walters; expressed concern with the renaming of Ferry Park to Sue Bierman Park
Rich; expressed appreciation to various aspects of San Francisco

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061378 [Committee of the Whole on December 5, 2006, at 3:00 pm on adopting a Resolution to acquire property by Eminent Domain - Islais Creek MUNI Maintenance Facility]
Supervisor Maxwell

Motion directing the Board of Supervisors to hold a public hearing on December 5, 2006, at 3:00 p.m., with the Board sitting as a committee of the whole, to consider adopting a Resolution of Necessity for the City's proposed acquisition by eminent domain of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility.

APPROVED

061501 [Ji Han Jae Day]
Supervisor Ma

Resolution declaring November 11, 2006 as “Ji Han Jae Day” in the City and County of San Francisco.

ADOPTED

061502 [Declaring November 2006 Lung Cancer Awareness Month]
Supervisors Maxwell, Dufty

Resolution declaring November 2006 Lung Cancer Awareness Month and urges public officials and the citizens of San Francisco to observe the month with appropriate activities and programs during this month and throughout the year.

ADOPTED

061503 [Commending Food Security Task Force]
Supervisor Maxwell

Resolution commending Food Security Task Force for their dedication and commitment to improving the quality of food programs in City and County of San Francisco.

ADOPTED

061504 [Commending The Lower Haight Street Merchants Association and Block Party Organizers for the First Annual Lower Haight Block Party]
Supervisors Mirkarimi, Dufty

Resolution commending the The Lower Haight Street Merchants Association and Block Party Organizers for founding the First Annual Lower Haight Street Block Party.

ADOPTED

061505 **[Commending the organizers of the first Alamo Square Movie Night]**
Supervisor Mirkarimi

Resolution commending the organizers of the first Alamo Square Movie Night.

ADOPTED

061506 **[Commending Fiona Ma]**
Supervisors Peskin, Dufty, Elsbernd

Resolution commending Fiona Ma for her distinguished service as Member of the Board of Supervisors of the City and County of San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.
ADOPTED

061507 **[Proclaiming November 14, 2006 as Stoney, A Clown Who Rabble Rouses in Defense of Free Speech, Day]**
Supervisor Sandoval

Resolution proclaiming November 14, 2006 as Stoney Day.

ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Ammiano

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

061484 **[Settlement of Unlitigated Claim - Fremont Investment Advisor, Inc.]**
Resolution approving the settlement of the unlitigated Claim No. 06-02119 filed by Fremont Investment Advisor, Inc. for Payroll Tax Refund against the City and County of San Francisco for $33,041.34.
10/24/06, RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

The meeting adjourned at 4:03 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

VOTES

MEETING MINUTES - DRAFT

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisor Ammiano was noted absent.

There was a quorum.

Supervisor Ammiano was noted present at 2:11 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved to approve the October 24, 2006 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

061135 **[Liquor Licenses, 1415 Green Street]**

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 1701 Greenwich Street to 1415 Green Street and the issuance of a Type 42 on-sale beer and wine public premises license at the same location to Ceri Lyn Smith for Biondivino will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

ADOPTED

061265 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice]**

Mayor, Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $175,000 from the Department of Justice (DOJ), Office of Justice Programs (OJP), FY2006 Weed and Seed Program for the purpose of supporting activities to prevent, control and reduce violent crime, drug abuse, and gang activity in the designated Weed and Seed area in the Visitacion Valley neighborhood.

ADOPTED

061362 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
22nd Avenue and Moraga Street, stopping 22nd Avenue, making this intersection an All-Way STOP;
Peru Avenue and Athens Street, stopping eastbound Peru Avenue, the stem of this T-intersection;
Circular Avenue and Havelock Street, stopping southbound Circular Avenue (legislates existing conditions);
Dorantes Avenue at Magellan Avenue, stopping Dorantes Avenue, making this T-intersection an All-Way STOP; and,
Brighton Avenue at Lakeview Avenue, stopping southbound Brighton Avenue, the stem of this T-intersection. (Parking and Traffic Department)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)

ADOPTED

061363 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT - ESTABLISH
Columbus Avenue, west side, from Broadway to 60 feet northerly.

ONE WAY STREET – RESCIND
Beale Street, between Bryant and Folsom Streets.

BIKE LANE (SOUTHBOUND) – ESTABLISH
Beale Street, west side, between Bryant and Folsom Streets. (Parking and Traffic Department)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)

ADOPTED

061412 **[Request authorization by the Board to adopt the County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2006-07]**

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2006-07 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2006-07. (Public Health Department)

ADOPTED

061434 **[Accept and Expend CALFED Water Use Efficiency Grant Funds]**

Supervisor Ma

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a CALFED Water Use Efficiency Grant in the amount of $299,390 through the United States Department of the Interior, Bureau of Reclamation.

ADOPTED

061454 **[Parking Regulations]**

Resolution enacting parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Gilbert Street, both sides, between Brannan Street to southern terminus (unit block, excludes Lot #18 and 32, block 3784).

(8/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3236.)

ADOPTED

061460 **[Accept-Expend State Grant - Sheriff's, Adult Probation and Juvenile Probation Departments]**

Resolution authorizing the Sheriff's Department, Adult Probation Department and Juvenile Probation Department of the City and County of San Francisco to apply for, accept and expend $513,500 in funds from the Corrections Standards Authority for the standards and training of local corrections and probation officers programs; stipulating adherence to standards for recruitment and training established by the Corrections Standards Authority, waiving any indirect costs. (Sheriff)

ADOPTED

061467 **[Grant to facilitate a community-based transportation plan for Treasure Island]**

Supervisor Daly

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept and expend a new grant in the amount of $98,000 from the California Department of Transportation for a community-based transportation plan to foster neighborhood and project design that enables more walking and biking for a healthier Treasure Island.

ADOPTED

061491 **[Rapid Test Algorithm in Non-Traditional Test Sites to Improve Linkage to Care]**

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), AIDS Office – HIV Prevention Section to accept and expend retroactively a new grant in the total amount of $242,573, from the Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) in support of a program entitled Rapid Test Algorithm in Non-Traditional Test Sites to Improve Linkage to Care, for the period of September 30, 2006 through September 29, 2007.

ADOPTED

Recommendations of the Land Use and Economic Development Committee

061238 [Zoning Map Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and Geary Streets, Block 0312, Lot 003]
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sheet 1 of the Zoning Map of the City and County of San Francisco to change the use district designation of Assessor's Block 0312, Lot 003 from C-3-R 3 (Downtown Retail) to C-3-O (Downtown Office), and amending Sheet 1H of the Zoning Map to change the height and bulk district classification of Assessor's Block 0312, Lot 003 from 80-130-F to 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

FINALLY PASSED

061237 [General Plan Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and Geary Streets, Block 0312, Lot 003]
Supervisor Daly

Ordinance amending the General Plan of the City and County of San Francisco by amending Map 1 (Downtown Land Use and Density Plan) and Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan to change the land use designation of Assessor's Block 0312, Lot 003 from Downtown Retail to Downtown Office and the height and bulk district classification from 80-130-F to a 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the Priority Policies of Planning Code Section 101.1. (Planning Department)

FINALLY PASSED

Recommendations of the Rules Committee

061401 [Settlement of Lawsuit - Daniel Kuhstoss]
Ordinance authorizing settlement of the lawsuit filed by Daniel Kuhstoss against the City and County of San Francisco for $465,000; the lawsuit was filed on April 18, 2005 in San Francisco Superior Court, Case No. 440-542; entitled Daniel Kuhstoss, et al., v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

061402 [Settlement of Lawsuit - Kevin Roy Jordan]
Ordinance authorizing settlement of the lawsuit filed by Kevin Roy Jordan against the City and County of San Francisco for $100,000.00; the lawsuit was filed on February 21, 2003 in United States District Court, Case No. C03-1194; entitled Kevin Jordan, et al., v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

061403 [Settlement of Lawsuit - Vilda and Amber Curry]
Ordinance authorizing settlement of the lawsuit filed by Vilda Curry and Amber Curry, by and through her guardian ad litem, Vilda Curry against the City and County of San Francisco for $625,000; the lawsuit was filed on March 31, 2003 in San Francisco Superior Court, Case No. 417-407; entitled Vilda Curry, et al. v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

061451 **[Settlement of Lawsuit - People v. California Pacific Medical Group]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco on behalf of the People of the State of California, against California Pacific Medical Group, Inc., dba Brown and Toland Medical Group, on April 10, 2006 in San Francisco Superior Court, Case No. CGC-06451051, entitled The People of the State of California, et al. v. California Pacific Medical Group, Inc., dba Brown and Toland Medical Group. (City Attorney)

PASSED, ON FIRST READING

061452 **[Settlement of Lawsuit - CCSF, et. al. v. Landavazo Brothers, Inc., et. al.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco as a qui tam plaintiff and party against (a) Landavazo Bros., Inc. and its owners and (b) George, Theodore, Derrick and John Landavazo (together, the "Landavazos") on June 14, 2001, in United States District Court For the Northern District of California, Case No. C-01-2315 MHP, entitled, City and County of San Francisco et. al. v. Landavazo Brothers, Inc., et. al., with the Landavazos paying: (a) $100,000 within 10 days of the final approval of the settlement ; (b) making sixty-five (65) monthly payments of $7,500, beginning January 5, 2007; and (c) the City paying to the San Francisco Bay Area Rapid Transit District (BART") therefrom $50,000, with $25,000 to come from the initial payment and the balance to be paid at $2,500 from the next ten (10) payments. The Landavazos are also to forego bidding on, or performing any work on San Francisco or BART projects through December 31, 2008. (City Attorney)

PASSED, ON FIRST READING

061449 **[Settlement of Unlitigated Claim - Fred Finch Youth Center]**

Resolution approving the settlement of the unlitigated claim filed by the Fred Finch Youth Center against San Francisco for $50,000; claim was filed on October 13, 2005. (City Attorney)

ADOPTED

061450 **[Settlement of Unlitigated Claim - Unified Teldata]**

Resolution approving the settlement of the unlitigated claim filed by Unified Teldata against San Francisco for $44,381.55; claim was filed on August 10, 2006. (City Attorney)

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from Consent Agenda

Supervisor Ma requested that this matter be severed so that it might be considered separately.

Supervisor Ma Excused From Voting

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to excuse Supervisor Ma at her request, because of possible conflict of interest, from voting.. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ma

061358 **[Liquor License Transfer, 46 Geary Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 975 Bryant Street to 46 Geary Street to Eric Chung for Lounge 46 will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ma

Supervisor Daly requested that this matter be severed so that it might be considered separately.

061361 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
990 Greenwich Street, from 7.4 feet to 16 feet east of Jones Street, accommodating two motorcycle parking spaces.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
22nd Street, both sides, between Bryant and Florida Streets.

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
20th Avenue, both sides, between Eucalyptus Drive and Ocean Avenue (3000 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Cesar Chavez Street, both sides, between Noe and Sanchez Streets (4000 block).

NO PARKING ANYTIME - ESTABLISH
Shotwell Street, west side, from Cesar Chavez Street to 102 feet south of 26th Street.

NO PARKING (RED ZONES) ANYTME - ESTABLISH
Broadway, south side, from Columbus Avenue to 65 feet easterly (6-foot extension of sidewalk;
Broadway, north side, 57 feet west of Kearny Street (6-foot extension of the sidewalk); and,
Broadway, south side, 52 feet west of Kearny Street (6-foot extension of the sidewalk)

TOW AWAY, NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY – RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Columbus Avenue, west side, from Broadway to 60 feet northerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Waller Street, north side, from the driveway of 530 Waller Street to the driveway of 532 Waller Street (18-foot space, accommodating 5 unmetered motorcycle parking spaces).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
16th Street, north side, from Bryant Street to 80 feet easterly (80-foot zone to create a right-turn only pocket).

TOW-AWAY, NO PARKING, 3:30 TO 7:00 PM, MONDAY THROUGH FRIDAY – ESTABLISH
Beale Street, west side, from Bryant Street to 50 feet northerly (50 foot zone).

TOW-AWAY, NO STOPPING ANYTIME – ESTABLISH
Beale Street, west side, from 50 feet to 230 feet north of Bryant Street (180 foot zone).

PERPENDICULAR PARKING – RESCIND
Beale Street, east side, from 300 feet to 353 feet south of Folsom Street and from 620 feet to 764 feet south of Folsom Street; and,
Beale Street, west side, from Bryant Street to 630 feet northerly (north end of Harrison Overpass).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Pierce Street, west side, between Jackson Street and Pacific Avenue (legislates existing conditions).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY RESCIND
California Street, north side, from Kearny Street to Mason Street.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
California Street, both sides, between Powell and Mason Streets. (Parking and Traffic Department)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)

Supervisor Daly requested that the question regarding parking regulations relating to Harrison Street be divided. (See File 061580)
DIVIDED.

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Resolution be ADOPTED AS DIVIDED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061580 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.
TOW-AWAY, NO STOPPING AND TRANSIT LANE ONLY, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Harrison Street, north side, from the Embarcardero to First Street

RESIDENTIAL PERMIT PARKING AREA "Y" (2 HOUR PARKING TIME LIMIT, 9 AM TO 10 PM, EVERYDAY) - ESTABLISH
Harrison Street, south side, between Fremont and Spear Streets (currently unregulated);
Spear Street, west side, from Harrison Street to 140 feet southerly (currently unregulated);
Main Street, both sides, between Harrison and Bryant Streets (currently unregulated);
Beale Street, both sides, between Bryant and Harrison Streets (replaces existing signed time limits); and,
Beale Street, west side, between Harrison and Folsom Streets (replaces existing signed time limits).

PARKING METER AREA 1 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Harrison Street, north side, between Beale and Spear Streets (currently unregulated);
Spear Street, east side, from Harrison Street to 140 feet southerly (currently unregulated);
Harrison Street, south side, between The Embarcadero and Spear Streets (replaces signed time limit);
Beale Street, east side, between Folsom and Harrison Streets (currently unregulated)
Townsend Street, both sides, between 2nd Street and Colin P. Kelly Jr. Street (replaces 2 -hour signed time limit);
Brannan Street, both sides, between 2nd Street and Colin P. Kelly Jr. Street (replaces 2 -hour signed time limit); and,
2nd Street, west side, between King and Townsend Streets (currently unregulated)

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Resolution be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

Vetoed by the Mayor

060700 **[Police Foot Patrols]**
Supervisors Mirkarimi, Daly, Ammiano, Maxwell, Sandoval

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern, Park, Tenderloin, Mission, Ingleside, Taraval, Southern and Bayview Police District Stations, and require reporting and review on the effectiveness of the foot patrols.
NOTE: This action requires a two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to te veto override.
The Board of Supervisors must act on the veto override within 30 days of the date of teh veto. The Mayor vetoed the Ordinance on November 3, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before December 3, 2006.)

Motion to override the Mayor's veto passed by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

Recommendations of the Budget and Finance Committee

061370 [Contract Amendment - CCSF and CBS Outdoor]
Supervisor Maxwell

Ordinance approving Fourth Amendment to Advertising Transit Shelter Agreement between the City and County of San Francisco and CBS Outdoor, to permit the contractor to advertise on the Third Street light rail vehicle platforms in exchange for maintenance of those platforms; to add shelters to the E-Line boarding islands; and retroactively consenting to the voluntary assignment of the Agreement from Outdoor Systems to Infinity Outdoor, and from Infinity Outdoor to Viacom Outdoor (now known as CBS Outdoor).

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061510 [Contract Amendment - CCSF and CBS Outdoor]

Ordinance approving Fourth Amendment to Advertising Transit Shelter Agreement between the City and County of San Francisco and CBS Outdoor, to extend the agreement six months.

(Supervisor Daly dissenting in committee.)

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

061428 [Appropriating $1,250,941 of Federal, State and General Fund Reserve to support overtime costs in the Sheriff's Department for Fiscal Year 2006-2007]
Mayor, Supervisors Daly, Dufty, Mirkarimi

Ordinance appropriating $433,881 Federal revenue, $181,609 State revenue and $635,451 General Fund reserve to retroactively support overtime costs related to the staffing of one additional inmate Pod at the San Bruno Jail and increased boarding of prisoners in the Sheriff's Department for Fiscal Year 2006-2007, and placing $667,530 on Financial Committee reserve pending review of actual overtime expenditures.

(Fiscal impact.)

FINALLY PASSED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Elsbernd, Peskin

Recommendations of the Land Use and Economic Development Committee

050176 **[Amending the Planning Code to make all massage establishments conditional uses]**
Supervisors Ma, Maxwell, Sandoval

Ordinance amending Sections 218.1, 710.54, 711.54, 712.54, 713.54, 716.54, 717.54, 718.54, 719.54, 720.54, 721.54, 722.54, 723.54, 724.54, 725.54, 726.54, 727.54, 728.54, 729.54, 730.54, 810.54, 811.54, 812.54, 790.60 and 890.60 of the Planning Code to define massage establishments per Section 1900 of the Health Code, to provide that all massage establishments shall be permitted as conditional uses, to provide that non-incidental massage establishments must first obtain all required permits from the Health Department before seeking a conditional use permit, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - McGoldrick

061376 **[Rent Ordinance: applies to units where a tenant's occupancy predates federal low income housing tax credits]**
Supervisors Peskin, Maxwell, McGoldrick, Mirkarimi

Ordinance amending Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37, "Rent Ordinance") by amending the Section 37.2(r)(4) definition of "rental units" covered by the ordinance to include units in buildings for which tax credits are reserved or obtained pursuant to the federal low income housing tax credit program (LIHTC, Section 42 Internal Revenue Code, 26 U.S.C. Section 42), where: a tenant's occupancy pre-dates recordation of the LIHTC regulatory agreement; and, the rent is not otherwise controlled or regulated by any use restrictions imposed by the San Francisco Redevelopment Agency, the State of California Office of Housing and Community Development, the United States Department of Housing and Urban Development or the City. This change will encompass rental units where the qualifying tenant is in possession of the unit on or after the effective date of this ordinance, including any unit where the tenant has been served with a notice to quit but has not vacated the unit and there is no final judgment against the tenant for possession of the unit prior to the effective date of this ordinance, including any unit where the tenant has been served with a notice to quit but has not vacated the unit and there is no final judgment against the tenant for possession of the unit prior to the effective date of this ordinance.

FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Ma assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

060944 **[Food Service Waste Reduction Ordinance]**

Supervisors Peskin, Daly, Mirkarimi, Ammiano, McGoldrick, Sandoval, Maxwell, Dufty, Ma

Ordinance amending the San Francisco Environment Code by adding Chapter 16, Sections 1601 through 1611, to: (1) prohibit the use of polystyrene foam disposable food service ware and require the use of biodegradable/compostable or recyclable disposable food service ware by restaurants, retail food vendors, City departments and the City's contractors and lessees unless there is no affordable alternative; and, (2) provide for penalties for violation; and amending the San Francisco Health Code by repealing Sections 469 through 469.10, which ban the use of food packaging and plastic food service ware made with chlorofluorocarbons.

Supervisor Alioto-Pier requests to be added as cosponsor.

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061360 **[Setting speed limit on portions of Kezar and John F. Kennedy Drives]**

Ordinance amending the Traffic Code by adding a new Section 175.07, establishing a speed limit of 30 MPH on Kezar Drive between Lincoln Way and John F. Kennedy Drive, and on John F. Kennedy Drive between Kezar Drive and Stanyan Street.

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3252.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

061375 **[Elections Code Amendments]**
Supervisor Elsbernd

Ordinance amending Sections 120, 200, 220, 300, 340, 500, 525, 530, 535, 545, 550, 590, and 610 of, and adding Section 815 to the Municipal Elections Code to: delete out-dated provisions relating to runoff elections; ensure that candidate statements are submitted in a uniform format; require that measures submitted by the Mayor, Board of Supervisors, or four or more Supervisors are submitted 95 days prior to the election; provide that failure to include an enacting clause in an initiative petition does not invalidate the petition; require the Department of Elections mail a voter information pamphlet to each registered San Francisco voter at least 29 days before an election; adjust the deadlines for ballot arguments and for the public review period to allow sufficient time for the voter information pamphlet to be prepared and mailed 29 days prior to the election; require ballot arguments to be submitted in a uniform format; provide a 24-hour period for the Ballot Simplification Committee to receive and act on written requests for the reconsideration of a digest; and clarify that candidates must file fees when submitting a candidate statement.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061455 **[Confirmation - San Francisco Redevelopment Agency]**

Resolution confirming the reappointment of Benny Yee by the Mayor, term ending September 3, 2010, to the San Francisco Redevelopment Agency.

Continued to December 5, 2006

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061400 **[Authorizing Tax Collector Attorney to file suit against responsible relative of recipient of services at City hospitals to recover value of services]**

Resolution authorizing Tax Collector Attorney to file suit against responsible relative to recover value of services rendered at hospital facilities operated by the San Francisco Department of Public Health. (Treasurer-Tax Collector)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Ammiano, seconded by Supervisor Sandoval, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ammiano welcomed, introduced and presented a Commendation to Guillana Millense in recognition of her retirement.

Supervisor Sandoval welcomed, introduced and presented a Commendation to Stoney Burke in recognition of his 30 years of being a clown who stands up for free speach.

SPECIAL ORDER 4:00 P.M.

Appointment of President Pro Tempore

At the request of the President, Supervisor Elsbernd assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

061327 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 2564 Sutter Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 29, 2006 (Case No. 2005.0486E), exempting from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 (Class 1)], the proposed project at 2564 Sutter Street. The proposal would alter and add to an existing 29-foot tall, one-and-a-half-story over basement single-family residence to create an approximately 40-foot tall, four-story over basement, three-unit residential building. The proposed project includes 1) raising the structure to create a basement parking garage; 2) a 2-story, stepped-back, vertical addition that would increase the height to approximately 40-feet; 3) a 3-level horizontal (to the rear) addition that would extend the existing building to within approximately 34 feet of the rear property line; and 4) interior renovations of the existing building and alterations of the facade. A new garage, stairway and front door entry, as well as the alteration/enlargement of the basement level and related windows would be visible at the front facade. The project site is within the RH-3 (Residential, House, Three-Family) zoning district and within a 40-X height and bulk district. (Appellant: Stephen M. Williams)

President inquired as to whether or not any member of the public wished to address the Board members.

Steve Williams, Attorney for the appellant
Faye Hollingsworth
Mary Mackey
William Freed
Courtney Clarkson
Ellen Dudley
Zac Stewart
Judith Moyer
Joe Butler, Architect
Kindall Goh, Bernal Heights Preservation
Kieran
Paul Maltzer, and Nannie Turrel, Representatives of the Planning Department reviewed with the Board members the Planning Department's recommendation.
Andrew Julius, Attorney for Project Sponsor
Debra Harris
Roger
Laura McCluskey
Kevin O'Connor
Jack Kruger
Mr. McCarthy
Greg Newsom
Peter McCluskey, Project Sponsor
Architect for project sponsor

Rebuttal Period:
Steve Williams, Attorney for appellant
Joe Buttler, Architect for appellant

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

061328 **[Affirming the categorical exemption issued for the 2564 Sutter Street project]**

Motion affirming the determination by the Planning Department that the 2564 Sutter Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Absent: 1 - Sandoval

061329 **[Disapproving the categorical exemption issued for the 2564 Sutter Street project]**

Motion disapproving the determination by the Planning Department that the 2564 Sutter Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Absent: 1 - Sandoval

061330 **[Preparation of findings related to the 2564 Sutter Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2564 Sutter Street is exempt from environmental review under the California Environmental Quality Act.

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Absent: 1 - Sandoval

COMMITTEE REPORTS

061205 **[Policy making marijuana offenses the lowest law enforcement priority]**

Supervisor Ammiano

Ordinance amending the San Francisco Administrative Code by adding Chapter 12X to make marijuana offenses by adults the lowest law enforcement priority in San Francisco, and require notification of state and federal officials.

(Supervisor Ma dissented)

Supervisor Daly requested to be added as cosponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma

061554 **[Establish Community Oversight Committee Regarding Enforcement of Marijuana Offenses]**
Supervisor Ammiano

Ordinance amending the San Francisco Administrative Code by adding Chapter 12X.6 to establish a Community Oversight Committee regarding enforcement of marijuana offenses.

(Supervisor Ma dissented)

Supervisor Daly requested to be added as cosponsor.
PASSED ON FIRST READING by the following vote:
Ayes: 6 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Absent: 2 - Dufty, Maxwell

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed appreciation for all who helped with election
James Chaffee; expressed concerns with saving the San Francisco Public Library
John Hammon; expressing concerns regarding skatebording in Golden Gate Park
Malink Mofe; expressing appreciation for the Board's support of low-income people in S. F.
Lionel Sandford, Seniors Organizing Seniors; expressing appreciation for the Board's support of seniors in S. F.
Male Speaker; expressing concerns regarding issues at the Leneai Hotel
Walter, shared expressions in song
Eugene Gordon Jr.; expressed various legislative concerns
John Denado; expressed pride in democracy
Female Speaker; expressed support for Police Chief
Jan White; expressed concerns with crime and being a victim multiple times
Sylvia Johnson; expressed concern relating to various issues in song
Maria Martinez; expressing support of the mobbing resolution
Mr. Cruz; expressing support of the mobbing resolution

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061542 **[Authorizing the Executive Director/CEO of the Municipal Transportation Agency or his or her designee and the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance]**

Supervisor Peskin

Resolution authorizing the Executive Director/CEO of the Municipal Transportation Agency or her or her designee and the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal and State transportation grants expiring on June 30, 2007.

ADOPTED

061544 **[Hepatitis B Screening Goal]**

Supervisor Ma

Resolution establishing the goal of universal Hepatitis B screening and vaccination for Asian and Pacific Islander residents of San Francisco.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Severed from Adoption Without Committee Reference

Supervisor Elsbernd requested that this matter be severed so that it mght be considered separately.

061541 **[Supporting the development and provision of flexible work-life practices and policies for individuals employed by the City of San Francisco]**

Supervisor Alioto-Pier

Resolution supporting work-life practices and policies for employees of the City of San Francisco.

Supervisor Elsbernd requested that this matter be referred to Committee.

REFERRED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Supervisor Elsbernd requested that this matter be severed so that it mght be considered separately.

061543 **[Recognizing the detrimental impact of mobbing on creating a safe and productive workplace for all employees]**
Supervisor Sandoval

Resolution requesting the Department of Human Resources to recognize the detrimental impact of mobbing on creating a safe and productive workplace for all employees.

Supervisor Elsbernd requested that this matter be referred to Committee.

REFERRED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

061514 **[Zoning Map Amendment for 18 Arago Street]**

Ordinance amending Sheet 11 of the Zoning Map of the City and County of San Francisco for property located at 18 Arago Street, Assessor's Block 3154 Lot 063, to change the use district classification from P (Public Use) to RH-1 (Residential House, One-Family); adopting findings pursuant to the California Environmental Quality Act and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

11/3/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/4/2006. (SUPPORTING DOCUMENTS: Planning Commission Resolution 17328; Executive Summary; and Determination of Exemption from Environmental Review).

061517 **[Vacation and immediate quitclaim of a sewer easement and vacation and delayed quitclaim of a water line easement in former Hubbell Street (a portion of Assessor's Block 8709, Lot 11]**

Ordinance ordering the vacation of a 10-foot wide water line easement and a 20-foot wide sewer easement in former Hubbell street, within the Mission Bay South Redevelopment Project Area; authorizing an immediate quitclaim of the sewer easement and a delayed quitclaim of the water line easement of the City and County of San Francisco's rights and interest in the vacated areas; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City's Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 176,502 ; and authorizing other official acts in connection with this ordinance. (Public Works Department)

11/6/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

061519 **[Condominium conversion lottery extension to 2008]**

Ordinance amending Subdivision Code Section 1396 to extend the annual 200-unit condominium conversion lottery until 2008; repealing Section 1396.1 to delete condominium conversion lottery provisions that are void by their own terms; adding Section 1396.1 to reenact the condominium conversion lottery process from 2005 and to establish provisions concerning the standby list selection process; and making environmental findings. (Public Works Department)

11/6/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/6/2006.

11/13/06, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.

061520 **[Settlement of Lawsuit - Cynthia Fitzgerald]**

Ordinance authorizing settlement of the lawsuit filed by Cynthia Fitzgerald against the City and County of San Francisco for $140,000; the lawsuit was filed on November 8, 2004 in San Francisco Superior Court, Case No. 436-152; entitled Cynthia Fitzgerald, et al., v. City and County of San Francisco, et al. (City Attorney)

11/6/06, RECEIVED AND ASSIGNED to Rules Committee.

061521 **[Settlement of Lawsuit - Bradford Wilson]**

Ordinance authorizing settlement of the lawsuit filed by Bradford Wilson against the City and County of San Francisco for $70,000.00; the lawsuit was filed on October 27, 2005 in the San Francisco Superior Court, Case No. 446116; entitled Bradford Wilson v. City and County of San Francisco, et al. (City Attorney)

11/6/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

061515 **[Agreement with Caltrans for street construction at Fifth and King Streets intersection with State Route 280]**

Resolution approving the Cooperative Agreement between the City and County of San Francisco and the State of California Department of Transportation concerning the new street construction for the King Street Westbound Frontage Road and ancillary improvements at Fifth and King Streets intersection with State Route 280 and authorizing official acts in furtherance thereof. (Public Works Department)

11/6/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061516 **[Vacation of sewer and water line easements in former Hubbell Street (a portion of Assessor's Block 8709, Lot 11]**

Resolution declaring the intention of the Board of Supervisors to vacate a 10-foot wide water line easement and 20-foot wide sewer easement in former Hubbell Street within the Mission Bay South Redevelopment Project Area; setting the hearing date for all persons interested in the proposed vacation of the easements; and adopting findings that the vacation is consistent with the City's General Plan, the eight priority policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; accepting the Department of Public Works Order No. 176,502, dated October 24, 2006; and authorizing other official acts in connection with this Resolution. (Public Works Department)

11/6/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

ADJOURNMENT

The meeting adjourned at 5:24 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

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Tuesday, November 21, 2006 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisors Alioto-Pier and Daly were noted absent.

There was a quorum.

Supervisor Alioto-Pier was noted present at 2:07 p.m.

Supervisor Daly Excused From Attendance

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved to excuse Supervisor Daly from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Daly

APPROVAL OF MEETING MINUTES

AGENDA CHANGES

Supervisor Peskin requested that File No. 061579 (Item 31) be considered out of order.

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

061578 **[Hearing on the proposed development plan at Candlestick Point]**
Supervisor Peskin

Hearing to discuss the proposed development at Candlestick Point.

The Office of Economic and Workforce Development made a lengthy presentation on the development of a new stadium and mixed-use project.

Michael Cohen, Office of Economic and Workforce Development
Kofi Bonner, President, Bay Area Division, Lennar
David Thom, IBI Group
Thomas Balsley, Tom Balsley and Associates
Moss Corbey, Corbey Engineering
Mary Smith, Walker
Dean Macris, Planning Department
Erin McGrath, Mayor's Office

Larry McNeil, Chief Financial Officer, San Francisco Forty-Niners, outlined why the new stadium plan will not work.

The President inquired as to whether any member of the public wished to address the Board members

Male Speaker, Football is sexist.
Abdullah Megaheed, we support 49ers
Dr. Ahimsa Porter Sunchai, we need a project specific EIR
Don Price, traffic impact to neighbors
Don Monahan, District Superintendent, California State Parks
Reverend Arnold Townsend, people of Bayview Hunters Point deserve 49ers
Mr. King, Bayview Hunters Point need to move forward
Ed Donaldson, Bayview Hunters Point in middle of revitalization
Shirley Moore, wants 49ers to work with the community, wants community included
Sheila Johnson, loves 49ers
Espanola Jackson, landfill
Walter Paulsen, hopes 49ers can build stadium in San Francisco
Keith Jackson, bond money from late 1990s
Male Speaker, long-ranger planning
Al Norman, Bayview Merchants, BVHP economic plan should continue
Linda Richardson, economic development in BVHP

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

061360 **[Setting speed limit on portions of Kezar and John F. Kennedy Drives]**

Ordinance amending the Traffic Code by adding a new Section 175.07, establishing a speed limit of 30 MPH on Kezar Drive between Lincoln Way and John F. Kennedy Drive, and on John F. Kennedy Drive between Kezar Drive and Stanyan Street.

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3252.)

FINALLY PASSED

Recommendations of the Rules Committee

061375 **[Elections Code Amendments]**

Supervisor Elsbernd

Ordinance amending Sections 120, 200, 220, 300, 340, 500, 525, 530, 535, 545, 550, 590, and 610 of, and adding Section 815 to the Municipal Elections Code to: delete out-dated provisions relating to runoff elections; ensure that candidate statements are submitted in a uniform format; require that measures submitted by the Mayor, Board of Supervisors, or four or more Supervisors are submitted 95 days prior to the election; provide that failure to include an enacting clause in an initiative petition does not invalidate the petition; require the Department of Elections mail a voter information pamphlet to each registered San Francisco voter at least 29 days before an election; adjust the deadlines for ballot arguments and for the public review period to allow sufficient time for the voter information pamphlet to be prepared and mailed 29 days prior to the election; require ballot arguments to be submitted in a uniform format; provide a 24-hour period for the Ballot Simplification Committee to receive and act on written requests for the reconsideration of a digest; and clarify that candidates must file fees when submitting a candidate statement.

FINALLY PASSED

061451 **[Settlement of Lawsuit - People v. California Pacific Medical Group]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco on behalf of the People of the State of California, against California Pacific Medical Group, Inc., dba Brown and Toland Medical Group, on April 10, 2006 in San Francisco Superior Court, Case No. CGC-06451051, entitled The People of the State of California, et al. v. California Pacific Medical Group, Inc., dba Brown and Toland Medical Group. (City Attorney)

FINALLY PASSED

061452 **[Settlement of Lawsuit - CCSF, et. al. v. Landavazo Brothers, Inc., et. al.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco as a qui tam plaintiff and party against (a) Landavazo Bros., Inc. and its owners and (b) George, Theodore, Derrick and John Landavazo (together, the "Landavazos") on June 14, 2001, in United States District Court For the Northern District of California, Case No. C-01-2315 MHP, entitled, City and County of San Francisco et. al. v. Landavazo Brothers, Inc., et. al., with the Landavazos paying: (a) $100,000 within 10 days of the final approval of the settlement ; (b) making sixty-five (65) monthly payments of $7,500, beginning January 5, 2007; and (c) the City paying to the San Francisco Bay Area Rapid Transit District (BART") therefrom $50,000, with $25,000 to come from the initial payment and the balance to be paid at $2,500 from the next ten (10) payments. The Landavazos are also to forego bidding on, or performing any work on San Francisco or BART projects through December 31, 2008. (City Attorney)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

060944 [Food Service Waste Reduction Ordinance]
Supervisors Peskin, Daly, Mirkarimi, Ammiano, McGoldrick, Sandoval, Maxwell, Dufty, Ma, Alioto-Pier

Ordinance amending the San Francisco Environment Code by adding Chapter 16, Sections 1601 through 1611, to: (1) prohibit the use of polystyrene foam disposable food service ware and require the use of biodegradable/compostable or recyclable disposable food service ware by restaurants, retail food vendors, City departments and the City's contractors and lessees unless there is no affordable alternative; and, (2) provide for penalties for violation; and amending the San Francisco Health Code by repealing Sections 469 through 469.10, which ban the use of food packaging and plastic food service ware made with chlorofluorocarbons.

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061205 [Policy making marijuana offenses the lowest law enforcement priority]
Supervisors Ammiano, Daly

Ordinance amending the San Francisco Administrative Code by adding Chapter 12X to make marijuana offenses by adults the lowest law enforcement priority in San Francisco, and require notification of state and federal officials.

(Supervisor Ma dissented)

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Excused: 1 - Daly

061554 [Establish Community Oversight Committee Regarding Enforcement of Marijuana Offenses]
Supervisors Ammiano, Daly

Ordinance amending the San Francisco Administrative Code by adding Chapter 12X.6 to establish a Community Oversight Committee regarding enforcement of marijuana offenses.

(Supervisor Ma dissented)

FINALLY PASSED by the following vote:
Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Excused: 1 - Daly

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061074 [Authorizing the Committee on Information Technology to amend its contract with Microgear/ESP to exceed $10 million]
Supervisor Daly

Resolution authorizing the Committee on Information Technology to retroactively enter into the Third Amendment between the City and Microgear/ESP (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's anticipated expenditures to over $10 million.

(Fiscal impact.)

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061075 [Authorizing the Committee on Information Technology to amend its contract with Central Computer Systems to exceed $10 million]
Supervisor Daly

Resolution authorizing the Committee on Information Technology to retroactively enter into the Third Amendment between the City and Central Computer Systems (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's anticipated expenditures to over $10 million.

(Fiscal impact.)

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061351 **[Lease of Property at S.F. Marina West Harbor, near the intersection of Marina Boulevard and Fillmore Street, to the St. Francis Yacht Club]**
Supervisor Alioto-Pier

Resolution authorizing and approving the execution, delivery and performance of a lease of real property at the S.F. Marina West Harbor near the intersection of Marina Boulevard and Fillmore Street (a portion of Block 0900, Lot 003) to the St. Francis Yacht Club for a term of forty (40) years plus the approximately seven (7) years remaining on the Club's existing lease; and adopting findings under the California Environmental Quality Act and findings pursuant to the City Planning Code Section 101.1.

Supervisor Sandoval, seconded by Supervisor McGoldrick, moved to re-refer this matter to Committee.
Motion to re-refer this matter to Committee failed by the following vote:
Ayes: 4 - Ammiano, McGoldrick, Mirkarimi, Sandoval
Noes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Excused: 1 - Daly
Supervisor McGoldrick, seconded by Supervisor Sandoval, moved to continue this matter to December 12, 2006.
Motion to continue this matter failed by the following vote:
Ayes: - 2 - McGoldrick, Sandoval
Noes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Excused: 1 - Daly

ADOPTED by the following vote:
Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 4 - Ammiano, McGoldrick, Mirkarimi, Sandoval
Excused: 1 - Daly

061532 **[Certificates of Participation relating to One South Van Ness Avenue, 1650 Mission Street and 30 Van Ness Avenue; and Authorization to Remove 1650 Mission Street Due Diligence Contingences]**
Supervisors Peskin, Elsbernd

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition and improvement of One South Van Ness Avenue and 1650 Mission Street and the improvement of 30 Van Ness Avenue; approving the form of a trust agreement between the City and County of San Francisco (the "City") and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of a property lease between the City and a trustee relating to certain City-owned property; approving the form of a project lease between a trustee and the City (including certain indemnities contained therein); approving the form of an official notice of sale and notice of intention to sell relating to the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; authorizing the reimbursement of certain expenditures; approving the removal of the due diligence contingencies relating to the purchase of 1650 Mission Street and a City assumption of the Spectrum Federal Credit Union lease at 1650 Mission Street; adopting findings under the California Environmental Quality Act and findings pursuant to the City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith.

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061461 [Prevailing wages for workers on public works/improvement projects, workers doing janitorial services, workers in public off-street parking lots, garages, or auto storage facilities, workers in theatrical services; and workers performing moving services]

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; and (5) workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission)

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061468 [Prevailing wage and displaced worker requirements for City contracts for hauling of solid waste generated by City operations]

Supervisors Ma, Peskin, Daly, Dufty, Mirkarimi

Ordinance adding Section 21.25-5 to the Administrative Code, requiring payment of wages at prevailing rates to workers engaged in the hauling of solid waste, generated by the City in the course of City operations, pursuant to a contract with the City; establishing a process for the Board of Supervisors to set prevailing wage rates; establishing rules and a process for enforcement of prevailing wage rate requirements; requiring retention of workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City, upon transition to a new contractor; and establishing rules and a process for enforcement of worker retention requirements.

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Recommendations of the Government Audit and Oversight Committee

051465 [Grant of Federal Funds - Municipal Transportation Agency]

Supervisor Peskin

Resolution authorizing the Municipal Transportation Agency to accept and expend $9,920,000 of Federal New Starts Capital Assistance for the Third Street-Phase II - New Central Subway project, excluding administrative overhead costs.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061422 **[Grant of Federal Funds - Municipal Transportation Agency]**
Supervisor Peskin

Resolution authorizing the Municipal Transportation Agency to accept and expend $24,502,500 of Federal Section 5309 New Starts Capital Assistance for the Third Street-Phase II - Central Subway project, excluding administrative overhead costs.

(Fiscal impact.)

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Recommendation of the Land Use and Economic Development Committee

061261 **[Zoning - Conditional use for change in use or demolition of a general grocery store]**
Supervisor Elsbernd

Ordinance amending the Planning Code to add Section 218.2 and to amend Sections 703.2, 803.2, and 803.3 to require conditional use authorization for any project involving the change in use or demolition of a general grocery store; amending Planning Code Section 790.102 to define general grocery store; amending Planning Code Section 303 to require specific findings as part of a conditional use authorization for a change in use or demolition of a general grocery store; making the legislation apply to specified applications and permits filed on or after September 12, 2006; and making environmental findings and findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Peskin presented a Certificate of Commendation of Supervisor Ma.

SPECIAL ORDER 4:00 P.M.

061396 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 3300 Clay Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 26, 2006, granting a Categorical Exemption from the California Environmental Quality Act (Building Permit Application No. 2006.02.27.5519) the proposed project at 3300 Clay Street, Lot 003 in Assessor's Block 0997. The proposal to remodel the ground floor, excavate and install a six-car garage and install a new opening in the side of the building for access to the garage. (Appellant: Douglas D. Cain)

(Filed October 13, 2006; companion measure to Files 061397, 061398, 061399, District 2.)

Continued to January 9, 2007.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

061397 **[Affirming the categorical exemption issued for 3300 Clay Street project]**

Motion affirming the determination by the Planning Department that the 3300 Clay Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to January 9, 2007.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061398 **[Disapproving the categorical exemption issued for 3300 Clay Street project]**

Motion disapproving the determination by the Planning Department that the 3300 Clay Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to January 9, 2007.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061399 **[Preparation of findings related to the 3300 Clay Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3300 Clay Street is exempt from environmental review under the California Environmental Quality Act.

Continued to January 9, 2007.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

COMMITTEE REPORTS

061387 **[Appointment, Planning Commission]**
Mayor

Motion approving the Mayor's appointment of Marilyn Sue Lee to the Planning Commission term ending July 1, 2010.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 061388.)
Transmittal date – October 3, 2006.

Motion No. M06-123

APPROVED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

061389 **[Reappointment, Planning Commission]**

Motion approving the Mayor's reappointment of William L. Lee to the Planning Commission term ending July 1, 2010. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 061390.)
Transmittal date – October 3, 2006.

Supervisor McGoldrick was noted absent at 6:10 p.m.

Motion No. M06-124

APPROVED by the following vote:
Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Sandoval
Noes: 2 - Ammiano, Peskin
Absent: 1 - McGoldrick
Excused: 1 - Daly

061453 **[Police Foot Patrols]**
Supervisors Mirkarimi, Daly, Ammiano, Maxwell, Sandoval

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern, Park, Tenderloin, Mission, Ingleside, Taraval, Southern, Bayview, Central and Richmond Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

PASSED ON FIRST READING by the following vote:
Ayes: 7 - Ammiano, Dufty, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd
Absent: 1 - McGoldrick
Excused: 1 - Daly

061465 [MOU, Amendment No. 2 - San Francisco Police Officers' Association (SFPOA)]
Mayor, Supervisors Dufty, Elsbernd, Alioto-Pier, Mirkarimi

Ordinance adopting and implementing amendments to the 2003-2007 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA) by (a) establishing retention pay of an additional four percent (4%) for officers who have completed thirty (30) or more years of service, effective June 30, 2007; (b) providing $1,000 referral bonuses for officers who refer successful candidates for police officer positions; (c) providing lateral signing bonuses of $5,000 for police officers hired from other police agencies; (d) allocating $250,000 annually to a joint labor-management recruitment committee; (e) eliminating the practice of allowing retiring officers to use accrued leave during their final 90 days of employment; and providing for incorporation of these provisions in the MOU to succeed the 2003-2007 MOU with expiration upon the conclusion of such successor MOU unless renewal is agreed.

(Fiscal impact.)

Supervisors Alioto-Pier and Mirkarimi requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Daly

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megahed, homeless issues and keeping 49ers in San Francisco
James Chafee, family issues and library issues
John Hamlin, Special Olympics
Walter Paulsen, shared various memorabilia with Board and sang song for Supervisor Ma

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

061559 [Legislative Analyst Request]
Supervisor Elsbernd

Motion requesting the Legislative Analyst to research comparable Natural Areas Plans that have been developed and implemented in other jurisdictions. As well, please explore the availability of existing studies that provide data that may assist in determining potential costs for San Francisco's Natural Areas Program Management Plan (NAP MP).

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Daly

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061577 [Calling for the Board of Supervisors to sit as a Committee of the Whole on December 5, 2006, at 4:00 pm to consider findings of recent economic report]
Supervisor Alioto-Pier

Motion calling for the Board of Supervisors to sit as a Committee of the Whole on December 5, 2006, at 4:00 pm to hear and discuss the findings of the report, "Focusing San Francisco's Economic Strategy: From Goals to Strategic Priorities."

Motion No. M06-125
APPROVED

061570 [Issuance and Sale of Revenue Bonds - Elder Care Alliance of San Francisco]
Supervisor Dufty

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $37,000,000 to refinance a portion of the costs of acquisition, construction and equipping of an assisted living and dementia care facility.

ADOPTED

061572 [Commemorating National Prematurity Awareness Month]
Supervisor Mirkarimi

Resolution commemorating National Prematurity Awareness Month, acknowledging that premature birth is a serious, common and costly problem. The etiology of premature birth is unknown and can happen to any pregnant woman. We hope all of you will join us in the campaign to reduce premature birth by supporting research, educating the public and health care providers about this critical issue.

ADOPTED

061573 **[Urging NBC-Universal to reconsider its decision to eliminate local Spanish newscasts at KSTS-48 Telemundo]**

Supervisor Sandoval

Resolution urging NBC-Universal to reconsider its decision to eliminate local Spanish news newscasts at KSTS-48 Telemundo.

ADOPTED

061574 **[Recognizing the City of Santa Ana for electing a Council reflective of its constituency's diverse ethnic majority]**

Supervisor Sandoval

Resolution recognizing the City of Santa Ana for electing a Council reflective of its constituency's diverse ethnic majority.

ADOPTED

061575 **[Supporting Saul Arellano, a 7 year-old boy whose mother has taken refuge at a church in Chicago** to **avoid deportation]**

Supervisor Sandoval

Resolution supporting Saul Arellano, a 7 year-old boy whose mother has taken refuge at a church in Chicago to avoid deportation.

ADOPTED

061555 **[Final Map 2808 - 19 Clementina Street]**

Motion approving Final Map 2808, a 32 Unit Live Work Condominium Project, located at 19 Clementina Street being a subdivision of Lot 119 in Assessors Block No. 3736 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,428; District 6.)

Motion No. M06-119

APPROVED

061556 **[Final Map 3686 - 2351 Powell Street]**

Motion approving Final Map 3686, a 73 Unit Mixed-Use Condominium Project, located at 2351 Powell Street being a subdivision of Lot 1,3 & 4 in Assessors Block No. 0031 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,430; District 3.)

Motion No. M06-120

APPROVED

061557 **[Final Map 3825 - 520 Chestnut Street]**

Motion approving Final Map 3825, a 20 Unit Residential Condominium Project, located at 520 Chestnut Street being a subdivision of Lot 9 in Assessors Block No. 0052 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW order No. 176,422; District 3.)

Motion No. M06-121

APPROVED

061558 **[Final Map 3283 - 1117 Ocean Avenue]**

Motion approving Final Map 3283, a 12 Unit Mixed-Use Condominium Project, located at 1117 Ocean Avenue being a subdivision of Lot 45 in Assessors Block No. 6944 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,429; Distirct 11.)

Motion No. M06-122

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Daly

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

061579 **[Motion to Hold Public Hearing on the proposed development plan at Candlestick Point]**

Supervisor Peskin

Motion directing the Board of Supervisors to hold a public hearing on November 21, 2006, at 2:00 p.m., with the Board sitting as a committee of the whole, to discuss the proposed development at Candlestick Point.

Motion No. M06-126

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

061571 **[Condemning Human Rights Violations in the Philippines]**

Supervisors Mirkarimi, Daly, Ammiano

Resolution condemning the politically-motivated killings and other human rights violations in the Philippines, extending sympathy to the families of victims and urging President Macapagal-Arroyo to reassert human rights and allow for an independent investigation into the killings.

Supervisor Alioto-Pier requested that this matter be referred to Committee.

REFERRED to the Rules Committee.

OFF-AGENDA LEGISLATION

Ordinances Resolutions Requests for Hearing Motions Introduced by the President at the Request of Departments

Introduced by Supervisors or Mayor

Ordinances

061595 **[Synchronizing the cycle for the Controller's biennial review of taxi fares and the gate with the City's Budget cycle]**
Supervisor Elsbernd

Ordinance amending the San Francisco Police Code by amending Section 1137, to synchronize the cycle for the Controller's biennial review of taxi fares and the gate cap with the City's budget cycle.
11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061596 **[Setting a May 1 cutoff for the annual renewal of taxi driver permits]**
Supervisor Elsbernd

Ordinance amending the San Francisco Business and Tax Regulations Code by adding Section 76.5, to set a May 1 cutoff for the annual renewal of taxi driver permits.
11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061605 **[Appropriating $1,277,584 of estimated direct payment revenue for the Sidewalk Inspection and Repair Program in the Department of Public Works for Fiscal Year 2006-2007]**
Mayor

Ordinance appropriating $1,277,584 from estimated revenues to fund the Sidewalk Inspection and Repair Program for the Department of Public Works for Fiscal Year 2006-2007.
11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061606 **[Sidewalk revitalization program]**
Mayor

Ordinance amending Public Works Code Section 706 to deem unsafe sidewalk conditions a public nuisance and establish a permit and inspection fee waiver for participation in the City's sidewalk revitalization program and amending section 707.1 to clarify provisions that treat the abatement costs for sidewalk remediation as a special tax assessment.
11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061607 [Public Employment - Children and Families Commission, First 5 San Francisco Commission]
Supervisor Mirkarimi

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 9774, Senior Community Development Specialist I, in the Children and Families Commission, First 5 San Francisco Commission.

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061609 [Authorizing members of the Board of Supervisors to meet by teleconferencing when physically unable to attend in person due to the member's pregnancy, childbirth, or related condition]
Supervisor Alioto-Pier

Ordinance amending the San Francisco Administrative Code by adding Section 2.11, to implement Proposition B as adopted by the voters at the November 7, 2006 election and authorize members of the Board of Supervisors to participate in meetings by teleconferencing when the member is physically unable to attend in person, as certified by a health care provider, due to the member's pregnancy, childbirth, or related condition.

11/21/06, RECEIVED AND ASSIGNED to Rules Committee.

061611 [Extending term of Back Streets Business Advisory Board]
Supervisor Maxwell

Ordinance extending for an additional nine months the term of the Back Streets Business Advisory Board.

11/21/06, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

061571 [Condemning Human Rights Violations in the Philippines]
Supervisors Mirkarimi, Daly, Ammiano

Resolution condemning the politically-motivated killings and other human rights violations in the Philippines, extending sympathy to the families of victims and urging President Macapagal-Arroyo to reassert human rights and allow for an independent investigation into the killings.

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

11/21/06, REFERRED to Rules Committee. Supervisor Alioto-Pier requested that this matter be referred to Committee.

061597 [Accept and Expend State Water Resources Control Board Grant Funds]
Supervisor Elsbernd

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a State Water Resources Control Board Grant in the amount of $202,500 for the development of a Pilarcitos Creek Integrated Watershed Management Plan.

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061598 **[Accept-expend State Grant Funds available under the California Cultural and Historical Endowment to fund the South Murphy Windmill Restoration Project]**
Supervisor McGoldrick

Resolution authorizing the San Francisco Recreation and Parks Department to accept and expend a grant in the amount of $488,411 for the restoration of the South Murphy Windmill, under Proposition 40 California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California State Library, California Cultural and Historical Endowment.
11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061599 **[Grant of Regional Funds]**
Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend $3,670,340 in FY2005/06 $3,984,855 in FY2006/07, and $2,308,728 in FY2007/08 Assembly Bill 664 Bridge Toll Net Revenue Funds for various San Francisco Municipal Railway Capital Projects, excluding administrative overhead costs.
11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061600 **[Accept-Expend U.S. Department of Justice Grant]**
Supervisor Maxwell

Resolution authorizing the City Attorney's Office to accept and expend a grant in the amount of $394,891 from the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP) for the Foster Care Improvement Project.
11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061601 **[Bond Sale for Seismic Safety Loan Program Bonds]**
Supervisor Dufty

Resolution authorizing and directing the sale of not to exceed $35,000,000 aggregate principal amount of City and County of San Francisco Taxable General Obligation Bonds (Seismic Safety Loan Program, 1992), Series 2006A; approving the form of a credit agreement pursuant to which such bonds will be issued and sold; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the establishment of accounts related thereto; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.
11/21/06, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

061602 **[Authorizing the Office of Contract Administration to amend its contract with En Pointe to exceed $20 million]**
Supervisor Dufty

Resolution authorizing the Office of Contract Administration to enter into the Fourth amendment between the City and En Pointe (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from $20 million to $31 million.
11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061603 **[Authorizing the Office of Contract Administration to amend its contract with Xtech to exceed $25 million]**
Supervisor Dufty

Resolution authorizing the Office of Contract Administration to enter into the Fifth amendment between the City and Xtech (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from $25 million to $37 million.

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061604 **[Reprogram and Expend Federal Community Development Block Grant and Emergency Shelter Grant Funds]**
Supervisor Dufty

Resolution approving the reprogramming and expenditure of One Hundred Twenty-One Thousand Two Hundred and Fifty Dollars ($121,250.00) of Community Development Block Grant funds and Fifty Thousand Dollars ($50,000.00) of Emergency Shelter Grant funds.

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061608 **[Approval of Amendment to Design Agreement for the Laguna Honda Hospital Replacement Program]**
Supervisor Elsbernd

Authorizing the Director of Public Works to execute Amendment to a Design Agreement for the Laguna Honda Hospital Replacement Program from $33,706,892 to $39,155,175.

11/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061612 **[Commemorating the 8th Annual Transgender Day of Remembrance]**
Supervisor McGoldrick

Resolution Commemorating the 8th Annual Transgender Day of Remembrance and to celebrate the diversity in people's self-defined gender identities and expressions.

11/21/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061613 **[Resolution urging the Legislature and the Senate of the State of California to work with the California Child food Program Roundtable to ensure young children in the state of California have continued access to Child and Adult Care Food Program]**
Supervisor Maxwell

Resolution urging members of the Legislature and the Senate of the State of California to work with the California Child Food Program Roundtable to identify and implement legislative strategies to ensure young children in the State of California have continued access to the Child and Adult Care Food Program.

11/21/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061614 **[Resolution acknowledging the one hundred anniversary of the San Francisco Local of the American Postal Workers Union, AFL-CIO, and proclaiming December 5, 2006, as San Francisco Postal Workers Day]**
Supervisor Sandoval

Resolution Proclaiming the San Francisco Local of the American Postal Workers Union, AFL-CIO, for one hundred years of representing the working postal men and women of San Francisco.
11/21/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

061610 **[Hearing on Report from Planning Department Developing Criteria for Mills Act Contract Eligibility]**
Supervisor Alioto-Pier

Hearing on Report from Planning Department Developing Criteria for Mills Act Contract Eligibility.
11/21/06, RECEIVED AND ASSIGNED to Rules Committee.

Motions

061615 **[Extending the Select Committee on Ending Gun and Gang Violence]**
Supervisor Maxwell

Motion extending the Select Committee on Ending Gun and Gang Violence.
11/21/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

061545 **[Settlement of Lawsuit - Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust v. CCSF, et al.]**
Ordinance approving settlement of litigation brought by Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust to quiet title as to the City and County of San Francisco in certain utility easements, in the action entitled Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust v. City and County of San Francisco, et al. (San Francisco Superior Court No. CGC-05-440100, filed April 5, 2005), for a total value of $136,000.00. (Real Estate Department)
11/8/06, RECEIVED AND ASSIGNED to Rules Committee.

061546 **[Summary Vacation of Sewer, Water and Utility Easements Within Assessor's Block 2864, Lot 001 and Sale to Owner of Assessor's Block 2864, Lot 001 Upon Conditions]**

Ordinance ordering the summary vacation of six recorded sewer, water and utility easements located within Assessor's Block 2864, Lot 001, on land commonly known as 300 Laguna Honda Boulevard, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Section 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale by quitclaim are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the City's interest in the vacated easements to the fee owners of Assessor's Block 2864, Lot 001, upon satisfaction of conditions set forth in companion Ordinance No. _______ on file with the Clerk of the Board of Supervisors in File No. _______; and ratifying and authorizing actions in furtherance of the ordinance. (Real Estate Department)

11/8/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

061547 **[Amendment to Contract with Geomatrix Consultants, Inc.]**

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute an amendment to the contract with Geomatrix Consultants, Inc. to extend the term retroactively through June 30, 2007, to modify the scope of services, and to increase the contract by an amount not to exceed $180,000 for a new total amount not to exceed $1,097,000 for environmental consulting services.

11/13/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061548 **[Third Amendment to John Stewart Company Sublease of Housing Units on Treasure Island]**

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a third amendment to the sublease with the John Stewart Company to extend the term.

11/13/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061549 **[Fourth Amendment to John Stewart Company Sublease of Housing Units on Treasure Island]**

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a fourth amendment to the sublease with the John Stewart Company to increase utility rates.

11/13/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business the Board adjourned at the hour of 6:35 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

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Tuesday, December 5, 2006 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Board of Supervisors	2:00 PM
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor Dufty was noted absent.

There was a quorum.

Supervisor Dufty was excused from attending today's meeting.

Supervisor Dufty Excused from Attendance

Supervisor Maxwell, seconded by Supervisor Sandoval, moved to excuse Supervisor Dufty from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Jew, moved to approve October 31, 2006 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

061468 **[Prevailing wage and displaced worker requirements for City contracts for hauling of solid waste generated by City operations]**
Supervisors Ma, Peskin, Daly, Dufty, Mirkarimi

Ordinance adding Section 21.25-5 to the Administrative Code, requiring payment of wages at prevailing rates to workers engaged in the hauling of solid waste, generated by the City in the course of City operations, pursuant to a contract with the City; establishing a process for the Board of Supervisors to set prevailing wage rates; establishing rules and a process for enforcement of prevailing wage rate requirements; requiring retention of workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City, upon transition to a new contractor; and establishing rules and a process for enforcement of worker retention requirements.

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

061465 **[MOU, Amendment No. 2 - San Francisco Police Officers' Association (SFPOA)]**
Mayor, Supervisors Dufty, Elsbernd, Alioto-Pier, Mirkarimi

Ordinance adopting and implementing amendments to the 2003-2007 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA) by (a) establishing retention pay of an additional four percent (4%) for officers who have completed thirty (30) or more years of service, effective June 30, 2007; (b) providing $1,000 referral bonuses for officers who refer successful candidates for police officer positions; (c) providing lateral signing bonuses of $5,000 for police officers hired from other police agencies; (d) allocating $250,000 annually to a joint labor-management recruitment committee; (e) eliminating the practice of allowing retiring officers to use accrued leave during their final 90 days of employment; and providing for incorporation of these provisions in the MOU to succeed the 2003-2007 MOU with expiration upon the conclusion of such successor MOU unless renewal is agreed.

(Fiscal impact.)

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

061261 **[Zoning - Conditional use for change in use or demolition of a general grocery store]**
Supervisor Elsbernd

Ordinance amending the Planning Code to add Section 218.2 and to amend Sections 703.2, 803.2, and 803.3 to require conditional use authorization for any project involving the change in use or demolition of a general grocery store; amending Planning Code Section 790.102 to define general grocery store; amending Planning Code Section 303 to require specific findings as part of a conditional use authorization for a change in use or demolition of a general grocery store; making the legislation apply to specified applications and permits filed on or after September 12, 2006; and making environmental findings and findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1.

FINALLY PASSED

Recommendations of the Rules Committee

061520 **[Settlement of Lawsuit - Cynthia Fitzgerald]**

Ordinance authorizing settlement of the lawsuit filed by Cynthia Fitzgerald against the City and County of San Francisco for $140,000; the lawsuit was filed on November 8, 2004 in San Francisco Superior Court, Case No. 436-152; entitled Cynthia Fitzgerald, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061521 **[Settlement of Lawsuit - Bradford Wilson]**

Ordinance authorizing settlement of the lawsuit filed by Bradford Wilson against the City and County of San Francisco for $70,000.00; the lawsuit was filed on October 27, 2005 in the San Francisco Superior Court, Case No. 446116; entitled Bradford Wilson v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061484 **[Settlement of Unlitigated Claim - Fremont Investment Advisor, Inc.]**

Resolution approving the settlement of the unlitigated Claim No. 06-02119 filed by Fremont Investment Advisor, Inc. for Payroll Tax Refund against the City and County of San Francisco for $33,041.34.

ADOPTED

061552 **[Appointment - Bicycle Advisory Committee]**

Resolution appointing Richard Tilles, term ending November 19, 2008, to the Bicycle Advisory Committee.

Richard Tilles, succeeding himself, term expired, seat 2, must be a nominee of District 2 Supervisor, for the unexpired portion of a two-year term ending November 19, 2008.

ADOPTED

061553 **[Appointment - Western SoMa Citizens' Planning Task Force]**

Resolution appointing Mark Vernon and Susan Hagen Contreras, terms ending November 23, 2007, to the Western SoMa Citizens' Planning Task Force.

Mark Vernon, succeeding Karen Nolan, resigned, seat 5, must be raising a family in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007.
Susan Hagen Contreras, succeeding Sharon Kim, resigned, seat 14, must be a parks and open space advocate, for the unexpired portion of a three-year term ending November 23, 2007.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

061635 **[Adopting findings related to disapproving the categorical exemption issued for 2564 Sutter Street]**

Motion adopting findings related to disapproving the determination by the Planning Department that the 2564 Sutter Street project is categorically exempt from environmental review under the California Environmental Quality Act.

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Recommendation of the Select Committee on Ending Gun and Gang Violence

061453 **[Police Foot Patrols]**

Supervisors Mirkarimi, Daly, Ammiano, Maxwell, Sandoval

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern, Park, Tenderloin, Mission, Ingleside, Taraval, Southern, Bayview, Central and Richmond Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew
Excused: 1 - Dufty

Recommendation of the Rules Committee

061455 **[Confirmation - San Francisco Redevelopment Agency]**

Resolution confirming the reappointment of Benny Yee by the Mayor, term ending September 3, 2010, to the San Francisco Redevelopment Agency.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to continue this matter to December 12, 2006.
Motion to continue this matter failed by the following vote:
Ayes: 5 - Alioto-Pier, Elsbernd, Jew, Maxwell, Sandoval
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin
Excused: 1- Dufty

NOT ADOPTED by the following vote:

Ayes: 4 - Alioto-Pier, Elsbernd, Jew, Sandoval
Noes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Dufty

NEW BUSINESS

Recommendations of the Rules Committee

061333 **[Prohibiting Gifts From Restricted Sources]**
Supervisor Mirkarimi

Ordinance amending section 3.216 of the Campaign and Governmental Conduct Code to prohibit City officers and employees from receiving any gifts from restricted sources other than nominal gifts exempted by the Ethics Commission and to clarify that exemptions to gift limits under state law also apply to limits imposed by local law. (Ethics Commission)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Supervisor Ammiano Excused From Voting

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved to excuse Supervisor Ammiano was excused from voting on this matter. The motion carried by the following vote:
Ayes: 9 - Alioto-Pier, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

061508 **[Reappointment - Supervisor Tom Ammiano to MTC]**
Supervisor Peskin

Resolution reappointing Supervisor Tom Ammiano, term ending February 10, 2011, to the Metropolitan Transportation Commission.

ADOPTED by the following vote:
Ayes: 9 - Alioto-Pier, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

061379 **[Hearing - Acquisition of Property By Eminent Domain-Islais Creek MUNI Maintenance Facility]**

Hearing of persons interested in or objecting to proposed resolution authorizing the acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

Harold Strassman; Sierra Club
David Pilpel
Espanola Jackson
The public hearing continued to January 9, 2007 at 3:00 p.m.

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Committee of the Whole Adjourn and Report Without Recommendation

061377 **[To acquire property by Eminent Domain-Islais Creek MUNI Maintenance Facility]**
Supervisor Maxwell

Resolution authorizing acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

(Fiscal impact.)

Continued to January 9, 2007 at 3:00 p.m.

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Supervisor Sandoval welcomed, introduced and presented a Certificate of Honor to members of the American Postal Workers Union Local 2.

Supervisor Peskin welcomed, introduced, and presented a Certificate of Honor to Kirk Bennett in recognition of his retirement from the City and County of San Francisco.

Supervisor McGoldrick was noted absent at 3:35 p.m.

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

061576 **[Hearing to discuss the findings of the report, "Focusing San Francisco's Economic Strategy: From Goals to Strategic Priorities."]**
Supervisor Alioto-Pier

Hearing to discuss the findings of the report, "Focusing San Francisco's Economic Strategy: From Goals to Strategic Priorities."

Jesse Blount, Mayor's Office of Economic Workforce Development
Ted Egan, reviewed with Board members a presentation "Focusing on San Francisco Economic Strategy Priorities"
Rhonda Simmons, Director, Office of Economic Workforce Development
Jim Haas
The public hearing was closed.
HEARD AT PUBLIC HEARING.

COMMITTEE REPORTS

061418 **[Providing policy direction to the Office of the Clerk of the Board of Supervisors regarding public access to its records]**
Motion providing policy direction to the Office of the Clerk of the Board of Supervisors regarding public access to its records. (Clerk of the Board)

APPROVED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061616 [Liquor License Transfer, 9 West Portal Avenue]
Supervisor Elsbernd

Resolution determining that the transfer of a Type 21 off-sale general license from 3130 Noriega Street to 9 West Portal Avenue, and the issuance of a Type 42 on-sale beer and wine public premises license at the same location, to Jay N. Gospodnetich and James M. Robinson for J.G.C.J. Wine Group, LLC, dba Wine Styles, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061531 [Appropriating $162,000,000 of Certificates of Participation revenue to purchase and make improvements to three buildings for the City Administrator's Office for Fiscal Year 2006-2007]
Mayor, Supervisor Peskin

Ordinance appropriating $162,000,000 of Certificates of Participation (COPs) revenue to purchase two buildings, including $96,355,000 for 1 South Van Ness and $51,160,000 for 1650 Mission, $6,130,000 for improvements to 30 Van Ness, and $8,355,000 for contingency changes in market conditions for the Office of City Administrator for Fiscal Year 2006-2007. Additionally, authorizing the advance of $2,721,727 from the Reserve for Rainy Day – One-Time Account to the City Administrator for improvements to these buildings in advance of the COPs sale, which shall be reimbursed upon receipt of the COPs proceeds.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061427 [Departmental Efficiency Plans]
Mayor, Supervisor Peskin

Ordinance amending San Francisco Administrative Code by amending Section 88.4 and repealing Sections 88.5, 88.6, 88.7 and 88.8, to streamline the requirements for departmental efficiency plans.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061562 [Amending the Working Families Credit Program and the Working Families Credit Fund]
Mayor

Ordinance amending the San Francisco Administrative Code by renumbering section 10.100-347 to 10.100-79 and amending Sections 12S.1 and 10.100-79 to establish that: 1) the Working Families Credit Program and the Working Families Credit Fund are administered by the Human Services Agency (HSA); 2) incentive payments may be calculated based on a flat rate; and 3) HSA may enter into agreements with private industries to provide other discounted services or products to program participants.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061494 **[Appropriating $75,000 of General Fund Reserve to support Working Families Credit Program Outreach in the Human Services Agency for Fiscal Year 2006-2007]**
Supervisor Daly

Ordinance appropriating $75,000 of General Fund Reserve to support outreach for the Working Families Credit Program in the Human Services Agency for Fiscal Year 2006-2007.

PASSED ON FIRST READING by the following vote:
Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew
Excused: 1 - Dufty

061581 **[Accept-Expend Federal Pass Through Grant - Department of Emergency Management]**
Mayor

Ordinance authorizing the Department of Emergency Management to accept and expend a federal pass through grant in the amount of $1,667,904 from the United States Department of Homeland Security through the Governor's Office of Homeland Security under three grant programs: the State Homeland Security Program (SHSP), the Law Enforcement Terrorism Prevention Program (LETPP), and the Metropolitan Medical Response System (MMRS), and incorporating an amendment to the Annual Salary Ordinance to provide for the extension of certain grant-funded positions.

Amended on page 2, line 14, by replacing "and" with "any."

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061582 **[Grant of Federal Homeland Security Funds]**
Mayor

Ordinance authorizing the Department of Emergency Management to accept and expend a grant of $22,656,000 in funds from the United States Department of Homeland Security through the California Office of Homeland Security under the Urban Area Security Initiatives Program, and incorporating an amendment to the Annual Salary Ordinance to provide for the extension of certain grant-funded positions.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061585 **[Public Employment - Emergency Management Department, Emergency Services Division, Police, Fire, Public Health and Sheriff]**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006/2007) reflecting the extension of thirty-nine positions at the following departments: Emergency Management Department, Emergency Services Division, Police, Fire, Public Health and Sheriff.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061569 [Sole Source Designation of Professional Services Contracts for Health and Behavioral Health Services and Support]
Supervisor Peskin

Ordinance amending the San Francisco Administrative Code to add Section 21.42, approving the sole source designation of professional services contracts for health and behavioral services and support by the San Francisco Health Commission, where such services are provided by non-profits.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061607 [Public Employment - Children and Families Commission, First 5 San Francisco Commission]
Supervisor Mirkarimi

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 9774, Senior Community Development Specialist I, in the Children and Families Commission, First 5 San Francisco Commission.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

061564 [Support Goals for Federal Funding - Community Development Block Grant]
Supervisor Maxwell

Resolution supporting Fiscal Year 2007-2008 Community Development Block Grant (CDBG) Action Plan Goals.

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

ADOPTED AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the homeless and welcomed newly sworn in Supervisor Jew
James Chaffee; expressed concern with issues relating to the SF Public Library
Crystal Lei; expressed concern with issues relating to the Planning Department and property located at 337-28th Avenue.
Male speaker: expressed concern with issues relating to the Planning Department and property located at 337-28th Avenue.
Jim Adams: expressed concern relating to issues of the wording of the pledge of allegiance
Eugene Gordon, Jr., expressed concern with issues relating to the violations of human rights
Herb Meiberger; expressed concern with investments from SFERS in companies doing business in the Sudan
Claire Dunn; expressed appreciation with Health Service System for the recent Health Fair
John Hemmet: shared with the Board an exhibit relating to the ocean
George R. Williams; expressed appreciation to the Board for health care for citizens
Bernard Crotty; expressed concern with the Health Service System's future funding and how much improved the Health Service System has become
Male speaker; welcomed Supervisor Jew
Jerry Meister; showed appreciation to the Health Service System and how much improved the Health Service System has become
Gerald DeRyan; showed appreciation to the Health Service System
Francisco da Costa; provided the Board with brochures and docmunets from California State Legislature swearing in ceremonies and Opening of the 2007-08 Session

CLOSED SESSION

061634 **[Closed Session – Potential Litigation Emergency Response Fee and Telephone Users Tax]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding potential litigation involving the City concerning the City's emergency response fee and the City's telephone users tax. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation.

CLOSED SESSION

The Board recessed at the hour of 3:45 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 4:01p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin. Sandoval - 9

Persons in attendance: Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval

Supervisor Dufty was previously excused from today's attendance.

Cheryl Adams, Deputy City Attorney
Julie Van Nostern, Deputy City Attorney
Jean Alexander, Deputy City Attorney
Monique Zmuda, Controller's Office
Gloria L. Young, Clerk of the Board
Kay Gulbengay, Deputy Clerk

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Ammiano, seconded by Supervisor Maxwell, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Dufty

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061612 **[Commemorating the 8th Annual Transgender Day of Remembrance]**
Supervisors McGoldrick, Dufty

Resolution Commemorating the 8th Annual Transgender Day of Remembrance and to celebrate the diversity in people's self-defined gender identities and expressions.

ADOPTED

061613 **[Resolution urging the Legislature and the Senate of the State of California to work with the California Child food Program Roundtable to ensure young children in the state of California have continued access to Child and Adult Care Food Program]**
Supervisor Maxwell

Resolution urging members of the Legislature and the Senate of the State of California to work with the California Child Food Program Roundtable to identify and implement legislative strategies to ensure young children in the State of California have continued access to the Child and Adult Care Food Program.

ADOPTED

061614 **[Resolution acknowledging the one hundred anniversary of the San Francisco Local of the American Postal Workers Union, AFL-CIO, and proclaiming December 5, 2006, as San Francisco Postal Workers Day]**
Supervisor Sandoval

Resolution Proclaiming the San Francisco Local of the American Postal Workers Union, AFL-CIO, for one hundred years of representing the working postal men and women of San Francisco.

ADOPTED

061624 **[Final Map - 30 Dore Street]**
Motion approving Final Map 3673, a 42 Unit Residential Condominium Project, located at 30 Dore Street being a subdivision of Lot 24A in Assessors Block No. 3518 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,525; District 6.)

APPROVED

061625 **[Final Map - 271 Cumberland Street]**
Motion approving Final Map 3186, a 5 Unit Residential Condominium Project, located at 271 Cumberland Street being a subdivision of Lot 35 in Assessors Block No. 3600 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,526; District 8.)

APPROVED

061626 **[Final Map - 310 Townsend Street]**

Motion approving Final Map 3448, a 45 Unit Residential Condominium Project, located at 310 Townsend Street being a subdivision of Lot 13 in Assessors Block No. 3786 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,541; District 6.)

APPROVED

061630 **[Final Map - 1043 Valencia Street]**

Motion approving Final Map 3840, a 6 Unit Mixed -Use Condominium Project, located at 1043 Valencia Street being a subdivision of Lot 21 in Assessors Block No. 3616 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,550; District 9.)

APPROVED

061631 **[Final Map - 1630 California Street]**

Motion approving Final Map 3681, a 41 Unit Mixed – Use Condominium Project, located at 1630 California Street being a subdivision of Lot 3 in Assessors Block No. 0643 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,542; District 3.)

APPROVED

061632 **[Final Map - 3107 Geary Boulevard]**

Motion approving Final Map 3951, a 10 Unit Commercial Condominium Project, located at 3107 Geary Boulevard being a subdivision of Lot 39 in Assessors Block No. 1088 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,540; District 2.)

APPROVED

061633 **[Final Map - 325 Berry Street]**

Motion approving Final Map 3502, a 111 Unit Mixed - Use Condominium Project, located at 325 Berry Street being a subdivision of Lot 5 in Assessors Block No. 8707 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,531; District 6.)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Dufty

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Elsbernd, moved to approve the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Elsbernd, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Dufty

061638 **[Commendation for Au Co Vietnamese Cultural Center]**
Supervisor Daly

Resolution commending Au Co Vietnamese Cultural Center on its 20th Anniversary of providing excellent service to the Vietnamese community of San Francisco.

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Dufty

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

061621 **[Reduction to the San Francisco Public Library Cash Revolving Fund]**

Ordinance amending San Francisco Administrative Code Section 10.155 to decrease the Cash Revolving Fund of the San Francisco Public Library from $5,000 to $3,500. (Public Library)

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061623 **[Landmark Designation of 3750 18th Street (Mission High School)]**

Ordinance Designating 3750 18th Street, Mission High School, as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

11/17/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

061620 **[Reprogramming of $128,157 from SFGH's equipment budget to purchase a third van for the Mobile Methadone Program]**

Resolution authorizing the San Francisco Department of Public Health (DPH), to reprogram $128,157 in funding approved in the budget for San Francisco General Hospital (SFGH) for medical chairs, tables and information technology, to purchase instead, a large RV-size vehicle (Van) for the DPH Mobile Methadone Program in FY 2006-07. (Public Health Department)

11/21/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061622 **[Public Works Encroachments under Hooper and Carolina Streets]**

Resolution granting revocable permission to California College of the Arts, to occupy a portion of the public right-of-way to install one sub-surface conduit under Hooper Street between 07th and 08th Streets; and, one sub-surface conduit under Carolina Street between Channel and 15th Streets to connect with fiber optic cables three college sites for the college computer network located at 1111 -08th Street (Block 3820, Lot 003) conditioned upon the payment of an annual assessment fee as set forth in Public Works Code Sec. 2.1.1 (h) (iii) and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

11/20/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:52 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

OTES

DOCUMENTS DEPT.

DEC 15 2006

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Tuesday, December 12, 2006 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Jew	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved to approve the November 7, 2006 and Novemeber 14, 2006 Board Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

061581 [Accept-Expend Federal Pass Through Grant - Department of Emergency Management]
Mayor

Ordinance authorizing the Department of Emergency Management to accept and expend a federal pass through grant in the amount of $1,667,904 from the United States Department of Homeland Security through the Governor's Office of Homeland Security under three grant programs: the State Homeland Security Program (SHSP), the Law Enforcement Terrorism Prevention Program (LETPP), and the Metropolitan Medical Response System (MMRS), and incorporating an amendment to the Annual Salary Ordinance to provide for the extension of certain grant-funded positions.

FINALLY PASSED

061582 [Grant of Federal Homeland Security Funds]
Mayor

Ordinance authorizing the Department of Emergency Management to accept and expend a grant of $22,656,000 in funds from the United States Department of Homeland Security through the California Office of Homeland Security under the Urban Area Security Initiatives Program, and incorporating an amendment to the Annual Salary Ordinance to provide for the extension of certain grant-funded positions.

FINALLY PASSED

061427 [Departmental Efficiency Plans]
Mayor, Supervisor Peskin

Ordinance amending San Francisco Administrative Code by amending Section 88.4 and repealing Sections 88.5, 88.6, 88.7 and 88.8, to streamline the requirements for departmental efficiency plans.

FINALLY PASSED

061479 [Airport Concession Lease]

Resolution approving Amendment No. 6 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

ADOPTED

061531 [Appropriating $162,000,000 of Certificates of Participation revenue to purchase and make improvements to three buildings for the City Administrator's Office for Fiscal Year 2006-2007]
Mayor, Supervisor Peskin

Ordinance appropriating $162,000,000 of Certificates of Participation (COPs) revenue to purchase two buildings, including $96,355,000 for 1 South Van Ness and $51,160,000 for 1650 Mission, $6,130,000 for improvements to 30 Van Ness, and $8,355,000 for contingency changes in market conditions for the Office of City Administrator for Fiscal Year 2006-2007. Additionally, authorizing the advance of $2,721,727 from the Reserve for Rainy Day – One-Time Account to the City Administrator for improvements to these buildings in advance of the COPs sale, which shall be reimbursed upon receipt of the COPs proceeds.

(Fiscal Impact.)

FINALLY PASSED

061562 [Amending the Working Families Credit Program and the Working Families Credit Fund]
Mayor

Ordinance amending the San Francisco Administrative Code by renumbering section 10.100-347 to 10.100-79 and amending Sections 12S.1 and 10.100-79 to establish that: 1) the Working Families Credit Program and the Working Families Credit Fund are administered by the Human Services Agency (HSA); 2) incentive payments may be calculated based on a flat rate; and 3) HSA may enter into agreements with private industries to provide other discounted services or products to program participants.

FINALLY PASSED

061569 **[Sole Source Designation of Professional Services Contracts for Health and Behavioral Health Services and Support]**
Supervisor Peskin

Ordinance amending the San Francisco Administrative Code to add Section 21.42, approving the sole source designation of professional services contracts for health and behavioral services and support by the San Francisco Health Commission, where such services are provided by non-profits.

FINALLY PASSED

061607 **[Public Employment - Children and Families Commission, First 5 San Francisco Commission]**
Supervisor Mirkarimi

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 9774, Senior Community Development Specialist I, in the Children and Families Commission, First 5 San Francisco Commission.

FINALLY PASSED

061568 **[Ratification of prior professional service contracts for health and behavioral health services and approval of three year extensions]**
Supervisor Peskin

Resolution ratifying prior professional service contracts for the San Francisco Department of Public Health for health and behavioral health services and approving three year extensions.

ADOPTED

061597 **[Accept and Expend State Water Resources Control Board Grant Funds]**
Supervisor Elsbernd

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a State Water Resources Control Board Grant in the amount of $202,500 for the development of a Pilarcitos Creek Integrated Watershed Management Plan.

ADOPTED

061561 **[Recreation and Park-Golden Gate Park AB 716 Grant Funds]**
Mayor

Resolution authorizing the Recreation and Park Department to re-appropriate $527,221 of Proposition 40, AB 716 Grant Program funds from the Urban Forestry Yard project to the South Murphy Windmill Project.

ADOPTED

061598 **[Accept-expend State Grant Funds available under the California Cultural and Historical Endowment to fund the South Murphy Windmill Restoration Project]**
Supervisor McGoldrick

Resolution authorizing the San Francisco Recreation and Parks Department to accept and expend a grant in the amount of $488,411 for the restoration of the South Murphy Windmill, under Proposition 40 California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California State Library, California Cultural and Historical Endowment.

ADOPTED

061604 **[Reprogram and Expend Federal Community Development Block Grant and Emergency Shelter Grant Funds]**
Supervisor Dufty

Resolution approving the reprogramming and expenditure of One Hundred Twenty-One Thousand Two Hundred and Fifty Dollars ($121,250.00) of Community Development Block Grant funds and Fifty Thousand Dollars ($50,000.00) of Emergency Shelter Grant funds.

ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

061433 **[Accept-Expend Bayview Hunters Point Farmers' Market Grant]**
Supervisor Maxwell

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $19,250 from Clear Focus Coaching, Inc., for the purpose of operating a farmers' market in the Bayview Hunters Point (BVHP) community.

ADOPTED

061435 **[Accept-Expend Grant - Juvenile Probation Department]**
Supervisor Maxwell

Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of $125,000 from the Annie E. Casey Foundation to support juvenile justice reform activities at the Juvenile Probation Department.

ADOPTED

061436 **[Authorizing Corrections Standards Authority Grant Application]**
Supervisor Maxwell

Resolution authorizing the application to Department Of Corrections And Rehabilitation Corrections Standards Authority by the San Francisco Juvenile Probation Department to support the Department's efforts to address Disproportionate Minority Contact (DMC).

ADOPTED

061492 **[Accept U.S. EPA Grant Funds]**
Supervisor Ammiano

Resolution authorizing the San Francisco Public Utilities Commission to accept a grant in the amount of $477,900 from the U.S. Environmental Protection Agency through the Department of the Interior, Environment, and Related Agencies Appropriation Act of 2006.

ADOPTED

061495 **[Accept-Expend Grant - Juvenile Probation Department]**
Supervisor Maxwell

Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of $600,000 from the Zellerbach Family Foundation for supplemental support of organizational change activities within the Juvenile Probation Department.

ADOPTED

061500 **[Accept-Expend State Grant - Department of the Environment]**
Supervisor Maxwell

Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant in the amount of $129,600 from the California Department of Transportation to conduct an inventory of diesel emissions sources and develop a long-term plan to reduce diesel air pollution in the Bayview Hunters Point community of San Francisco.

ADOPTED

Recommendations of the Rules Committee

061333 **[Prohibiting Gifts From Restricted Sources]**
Supervisor Mirkarimi

Ordinance amending section 3.216 of the Campaign and Governmental Conduct Code to prohibit City officers and employees from receiving any gifts from restricted sources other than nominal gifts exempted by the Ethics Commission and to clarify that exemptions to gift limits under state law also apply to limits imposed by local law. (Ethics Commission)

FINALLY PASSED

061520 **[Settlement of Lawsuit - Cynthia Fitzgerald]**
Ordinance authorizing settlement of the lawsuit filed by Cynthia Fitzgerald against the City and County of San Francisco for $140,000; the lawsuit was filed on November 8, 2004 in San Francisco Superior Court, Case No. 436-152; entitled Cynthia Fitzgerald, et al., v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

061521 **[Settlement of Lawsuit - Bradford Wilson]**
Ordinance authorizing settlement of the lawsuit filed by Bradford Wilson against the City and County of San Francisco for $70,000.00; the lawsuit was filed on October 27, 2005 in the San Francisco Superior Court, Case No. 446116; entitled Bradford Wilson v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

061627 **[Appointment - Western SoMa Citizens' Planning Task Force]**

Resolution appointing Henry Karnilowicz, term ending November 23, 2007, to the Western SoMa Citizens' Planning Task Force.

Henry Karnilowicz, succeeding Bonnie D'Amico, resigned, seat 7, must operate a local business in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007.

ADOPTED

061628 **[Appointment - Sweatfree Procurement Advisory Group]**

Resolution appointing Sarah Leiber Church and Virginia Villegas, terms ending December 17, 2007, to the Sweatfree Procurement Advisory Group, residency requirement waived.

Sarah Leiber Church, succeeding Abigail Levine, resigned, seat 3, must have significant experience as an advocate for human rights or the poor, for the unexpired portion of a two-year term ending December 17, 2007. Virginia Villegas, succeeding Dale Jiajun Wen, resigned, seat 5, must be a member of the public, for the unexpired portion of a two-year term ending December 17, 2007.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed From the Consent Agenda

Supervisor Dufty requested that this matter be severed so that it might be considered separately.

061585 **[Public Employment - Emergency Management Department, Emergency Services Division, Police, Fire, Public Health and Sheriff]**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006/2007) reflecting the extension of thirty-nine positions at the following departments: Emergency Management Department, Emergency Services Division, Police, Fire, Public Health and Sheriff.

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Dufty, Maxwell

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

061494 **[Appropriating $75,000 of General Fund Reserve to support Working Families Credit Program Outreach in the Human Services Agency for Fiscal Year 2006-2007]**
Supervisor Daly

Ordinance appropriating $75,000 of General Fund Reserve to support outreach for the Working Families Credit Program in the Human Services Agency for Fiscal Year 2006-2007.

FINALLY PASSED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Jew

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061478 **[Appropriating $2,006,473 for Violence Prevention Programming in the Juvenile Probation Department and the Department of Children, Youth and Their Families for Fiscal Year 2006-2007]**
Supervisor Daly

Ordinance appropriating $1,000,000 from the Children's Fund, $779,370 of General Fund Reserve and $227,103 in Juvenile Probation Title IV-E (Foster Care) funds for violence prevention programs, including $423,021 in the Juvenile Probation Department for six additional Deputy Probation Officers and two Juvenile Counselors, and $1,583,452 in the Department of Children, Youth and Their Families for violence prevention contracts for Fiscal Year 2006-2007.

Supervisor Daly requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:
Ayes. 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes. 2 - Elsbernd, Jew

061497 [Public Employment - Department of Elections]
Supervisor Sandoval

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 9770, Community Development Assistant, and a 9772, Community Development Specialist in the Department of Elections, REG.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

061584 [Defining material collected for recycling to be solid waste under prevailing wage/displaced worker ordinance pertaining to City Contracts for hauling of solid waste.]
Supervisors Peskin, Daly, Dufty, Mirkarimi, Ammiano

Ordinance amending Administrative Code Section 21.25-5 - requiring payment of prevailing wages to workers engaged in the hauling of solid waste generated by the City in the course of City operations, and retention of such workers upon a change in contractor - to include material collected for recycling in the definition of solid waste.

Supervisor Ammiano requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061583 [Authorization for City to enter into Memorandum of Understanding with other Bay Area cities and counties to govern expenditure of fiscal year 2006 federal and state homeland security funds and to make San Francisco primary grantee and fiscal agent]
Mayor

Resolution authorizing City and County officials to enter into a Memorandum of Understanding that would create a Urban Area Working Group with other Bay Area governmental entities to govern expenditure of federal and state fiscal year 2006 Urban Area Security Initiatives Program funds and that would make San Francisco the primary grantee and fiscal agent for those funds; further authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco any and all documentation necessary to apply for and receive federal and state financial assistance under the Urban Area Security Initiatives Program and other federal and state homeland security programs.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061602 [Authorizing the Office of Contract Administration to amend its contract with En Pointe to exceed $20 million]

Resolution authorizing the Office of Contract Administration to enter into the Fourth amendment between the City and En Pointe (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from $20 million to $31 million.

(Fiscal Impact.)

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061603 **[Authorizing the Office of Contract Administration to amend its contract with Xtech to exceed $25 million]**

Resolution authorizing the Office of Contract Administration to enter into the Fifth amendment between the City and Xtech (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from $25 million to $37 million.

(Fiscal Impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Joint Budget and Finance/Land Use and Economic Development Committees

061498 **[Endorsement of Development Plan and Term Sheet for the Redevelopment of Naval Station Treasure Island]**

Mayor

Resolution endorsing the Development Plan and Term Sheet for the Redevelopment of Former Naval Station Treasure Island between Treasure Island Community Development, LLC and the Treasure Island Development Authority.

(Fiscal Impact.)

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

Supervisors Mirkarimi and Dufty Excused From Voting

Supervisor McGoldrick, seconded by Supervisor Daly, moved to excuse Supervisors Mirkarimi and Dufty at their request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061519 **[Condominium conversion lottery extension to 2008]**
Supervisor McGoldrick

Ordinance amending Subdivision Code Section 1396 to extend the annual 200-unit condominium conversion lottery until 2008; repealing Section 1396.1 to delete condominium conversion lottery provisions that are void by their own terms; adding Section 1396.1 to reenact the condominium conversion lottery process from 2005 and to establish provisions concerning the standby list selection process; and making environmental findings. (Public Works Department)

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Dufty, Mirkarimi

061538 **[Exemption of housing for victims of domestic violence from compliance with the Uniform Visitor Policy for Residential Hotels]**
Supervisor Peskin

Ordinance amending Section 41D.1 those of the San Francisco Administrative Code to exempt from the requirements of Chapter 41D residential hotels that are operated by non-profit agencies to provide housing and supportive services to victims of domestic violence.

Amended on page 1, line 18, after "survivor" by inserting "domestic".

AMENDED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

061493 **[Interim Zoning Requiring Conditional Use Authorization for Change in Use or Reduction of 15,000 square feet or more of Recreational Space]**
Supervisors Daly, Sandoval, McGoldrick, Mirkarimi

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for a change in use or reduction in size of any recreational space of 15,000 square feet or more including indoor or outdoor facilities, for an eighteen (18) month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

Supervisor Mirkarimi requested to be added as a co-sponsor.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061342 **[Establishing City and County of San Francisco Policy for the Eastern Neighborhoods Rezoning and Community Plans Area]**
Supervisors Maxwell, Ammiano, Peskin, McGoldrick

Resolution establishing City and County of San Francisco policy for the Eastern Neighborhoods Rezoning and Community Plans Area.

Continued to January 9, 2007

Supervisor Dufty, seconded by Supervisor Jew, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Noes: 2 - Maxwell, McGoldrick

Recommendation of the Rules Committee

061567 **[Board of Supervisors - Meeting Schedule]**

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the January 16, 2007, February 20, 2007, May 29, 2007, July 3, 2007, October 9, 2007, November 27, 2007, December 18, 2007, December 25, 2007 and January 1, 2008 meetings and by canceling all Board and Committee meetings from August 15 through September 4, 2007. (Clerk of the Board)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano. Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

061659 [Hearing - Fisherman's Wharf Portside Community Benefit District]
Supervisor Peskin

Hearing of persons interested in or objecting to proposed Resolution of Formation: Establishing a business-based business improvement district to be known as the "Fisherman's Wharf Portside Community Benefit District (CBD)," ordering the levy and collection of assessments against businesses located in that district for fourteen (14) years commencing with fiscal year 2006-2007, subject to conditions as specified, and making environmental findings. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Speakers in support of a Fisherman's Wharf Portside Business-Based Community Benefit District:
Ms. Bell; Fisherman's Wharf and Bob Macintosh; Pier 39

Speakers Opposed to a Fisherman's Wharf Portside Business-Based Community Benefit District:
There were none.

The President requested the Clerk of the Board to contact the Department of Elections and ask if the processing of the submitted ballots had been completed.

The President declared the Public Hearing closed.

Tabulation of the ballots cast began by the Department of Elections.
HEARD AT PUBLIC HEARING.

Sueprvisor McGoldrick Excused From Voting

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved to excuse Supervisor McGoldrick, at his request, because of possible conflict of interest, from voting.. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061660 **[Resolution to Establish the Fisherman's Wharf Portside Community Benefit District]**

Supervisor Peskin

Resolution of Formation: Establishing a business-based business improvement district to be known as the "Fisherman's Wharf Portside Community Benefit District (CBD)," ordering the levy and collection of assessments against businesses located in that district for fourteen (14) years commencing with fiscal year 2006-2007, subject to conditions as specified, and making environmental findings.

12/11/2006 - Economic Impact

The Clerk of the Board announced the tabulations of the Fisherman's Wharfside Porside Business Based District Community Benefit Distrtict:
Voting For 94.12%
Voting Against 5.88%

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Ammiano, seconded by Supervisor Daly, moved. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Alioto-Pier welcomed, introduced and presented a Certificate of Honor to Charles Huggins.

Supervisor Daly welcomed, introduced and presented a Certificate of Honor to Bill Barnes.

SPECIAL ORDER 3:30 PM

061414 **[Public Hearing - Sidewalk Assessment Costs]**

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.
Harry Gulbengay, Department of Public Works
Property Owner 701 Scott Street
The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

061415 **[Report of assessment costs for sidewalk and curb repairs]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

Continued to January 23, 2007

Supervisor Mirkarimi, seconded by Supervisor Jew, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

061417 **[Hearing -Tentative Parcel Map, 455 Buena Vista East]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 3, 2006, approving a proposed Tentative Parcel Map to create a 2-Lot Subdivision project located at 455 Buena Vista Avenue, Lot 270 in Assessor's Block 2607. (Appellant: Peter Yedidia).

(Filed October 13, 2006; companion measure to Files 061487, 061488, 061489; District 8.)

The President inquired as to whether or not any member of the public wished to address the Board.
There were none.

Continued to January 9, 2007

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

061487 **[Approving decision of the Director of Public Works and approving the Tentative Parcel Map for 455 Buena Vista East]**

Motion approving decision of the Director of Public Works and approving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to January 9, 2007

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061488 **[Disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for 455 Buena Vista East]**

Motion disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to January 9, 2007

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061489 **[Preparation of findings related to the Tentative Parcel Map appeal for 455 Buena Vista East]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to January 9, 2007

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:30 P.M.

061591 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 538 Laidley Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2006, (Building Permit Application No. 2005.01.14.3283), exempting from environmental review under the California Environmental Quality Act ("CEQA") the proposed project at 538 Laidley Street, Lot 012 in Assessor's Block 6728. The proposal would construct a three-story over garage single-family residence on a vacant lot zoned RH-1 (Residential, House, One-Family) District in a 40-X Height and Bulk District. (Appellant: Ian Haddow)

(Filed November 15, 2006; Companion measure to Files 061591, 061592, 061593, 061594, District 8.)

The President inquired as to whether or not any member of the public wished to address the Board. There were none

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

061592 **[Affirming the categorical exemption issued for 538 Laidley Street project]**

Motion affirming the determination by the Planning Department that the 538 Laidley Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Dufty, seconded by Supervisor Jew, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061593 **[Disapproving the categorical exemption issued for 538 Laidley Street project]**

Motion disapproving the determination by the Planning Department that the 538 Laidley Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Dufty, seconded by Supervisor Jew, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061594 **[Preparation of findings related to the 538 Laidley Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 538 Laidley Street is exempt from environmental review under the California Environmental Quality Act.

Supervisor Dufty, seconded by Supervisor Jew, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

Supervisor Elsbernd Excused From Voting

Supervisor Dufty, seconded by Supervisor Ammiano, moved to excuse Supervisor Elsbernd, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061545 **[Settlement of Lawsuit - Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust v. CCSF, et al.]**

Ordinance approving settlement of litigation brought by Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust to quiet title as to the City and County of San Francisco in certain utility easements, in the action entitled Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust v. City and County of San Francisco, et al. (San Francisco Superior Court No. CGC-05-440100, filed April 5, 2005), for a total value of $136,000.00. (Real Estate Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

061611 **[Extending term of Back Streets Business Advisory Board]**
Supervisor Maxwell

Ordinance extending for an additional nine months the term of the Back Streets Business Advisory Board.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061615 **[Extending the Select Committee on Ending Gun and Gang Violence]**
Supervisor Maxwell

Motion extending the Select Committee on Ending Gun and Gang Violence.

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to homelessness
Eulla Walters; expressed concern with issues relating to the renaming of the Ferry Park to Sue Bierman Park
James Chaffee; expressed concern with issues relating to the SF Public Library
Slyvia Johnson; expressed concern with general issues
John di Donna; shared a poem with the Board relating to the Ugly American
Peter Warfield; expressed concern with the money which was designated for the opening of SF Public Libraries on Sundays
Larry Edmond; showed interest with issues relating to medical marijuana
Ms. Jones; expressed concern with issues relating to Police violence

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061648 [San Francisco Unified School District General Obligation Bonds]
Supervisor Ammiano

Resolution authorizing the San Francisco Unified School District to issue and sell on its own behalf its general obligation bonds approved by the voters at the November 7, 2006 election without further action by this Board of Supervisors or any other officer of the City and County of San Francisco; ratifying certain actions previously taken; and granting general authority to City and County of San Francisco officials to take necessary actions in connection with the issuance of the general obligation bonds by the San Francisco Unified School District; and providing prior notice to the City and County of San Francisco for the anticipated sale and issuance of any future series of bonds.

ADOPTED

061649 [Grant for HIV/AIDS prevention in the San Francisco County Jail]
Supervisors Ammiano, Dufty, Mirkarimi

Resolution authorizing the San Francisco Department of Public Health (DPH), Jail Health Services, Forensic AIDS Project to accept and expend retroactively a new grant in the amount of $28,449, from the United States Conference of Mayors Research and Education Foundation (COMREF) in support of a program entitled Reaching Inward for Self-Empowerment (RISE) Project HIV/AIDS Prevention Program Grant, for the period of September 1, 2006 through August 31, 2007 with continuation for one additional year, which includes a sub-contract with the San Francisco State University Center for Research on Gender and Sexuality in the amount of $12,000 for the same time period.

Supervisor Mirkarimi requested to be added as a co-spnsor.
ADOPTED

061650 [Apply for State Grant - Sheriff's Department project to address the needs of mentally ill offenders in the jails]
Supervisors Dufty, Mirkarimi

Resolution authorizing the Sheriff's Department to apply for a 18-month grant in an amount not to exceed $1,000,000 from the Corrections Standards Authority for the Mentally Ill Offenders Crime Reduction (MIOCR) Grant Program.

Supervisor Mirkarimi requested to be added as a co-spnsor.
ADOPTED

061651 [Urging the Planning Director to monitor the development of San Francisco State University's Master Plan]
Supervisor Elsbernd

Resolution urging the Planning Director to monitor the development of San Francisco State University's Master Plan.

ADOPTED

061652 [DPW Notification Process for Sidewalk Repair]
Supervisors Elsbernd, Jew, Mirkarimi

Resolution urging the Department of Public Works to improve its notification process to responsible property owners for the construction, repair, and replacement of sidewalks.

ADOPTED

061653 [Grant for Pandemic Influenza Preparedness]
Supervisors Maxwell, Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), Communicable Disease Control and Prevention Section to accept and expend retroactively a new grant in the amount of $88,582, from the California Department of Health Services (CDHS), to undertake pandemic influenza emergency preparedness and response planning and to enter into an agreement for the use of these funds; for the period of May 22, 2006 to April 30, 2008

ADOPTED

061655 **[Urging the San Francisco Unified School District and the Recreation and Park Department to alleviate traffic impacts on the 1300 block of 6th Avenue]**
Supervisors Mirkarimi, Elsbernd

Resolution urging the San Francisco Unified School District and the Recreation and Parks Department to help alleviate the traffic impact created by the loss of the parking at the lot on the 1300 block of 6th Avenue.

ADOPTED

061656 **[Lee Mallory Day]**
Supervisor Peskin

Resolution declaring January 10, 2007 as Lee Mallory Day in San Francisco.

ADOPTED

061657 **[Center for Elderly Suicide Prevention and Grief Related Services (CESP) Day]**
Supervisor Peskin

Resolution proclaiming December 10th, 2006, as CESP Day in San Francisco.

ADOPTED

061658 **[Declaration of Election Results - November 7, 2006]**
Supervisor Peskin

Resolution declaring the results of the November 7, 2006 Consolidated General Election.

ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference to Committee Agenda

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately.

061654 **[Monster Cable Products, Inc]**
Supervisors McGoldrick, Ammiano, Daly, Maxwell, Mirkarimi, Peskin, Sandoval, Alioto-Pier

Resolution urging Monster Cable Inc. to provide a fair severance package to the over 120 laid-off workers at the Brisbane facility and to support these workers and the local community in dealing with the long-term detrimental impacts of Monster Cable Product's outsourcing of production jobs.

Supervisor Jew requested that this matter be referred to Committee.

REFERRED to the City Operations and Neighborhood Services Committee.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

061674 **[Restricting parking on Turk and Larkin Streets and Golden Gate Avenue adjacent to the Federal Building at 450 Golden Gate Avenue to law enforcement vehicles authorized by the Federal Protective Service of the Department of Homeland Security]**

Ordinance amending the Traffic Code to restrict parking or standing by vehicles on Turk and Larkin Streets and on Golden Gate Avenue adjacent to the Phillip Burton Federal Building at 450 Golden Gate Avenue to law enforcement vehicles authorized by the Federal Protective Service of the Department of Homeland Security. (Parking and Traffic Department)

12/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061675 **[Amending the Traffic Code to replace obsolete references to the Public Utilities Commission with references to the Municipal Transportation Agency]**

Ordinance (1) amending the San Francisco Traffic Code by amending Sections 13 and 32.1.10 and (2) amending the San Francisco Public Works Code by amending Section 250.242 to replace obsolete references to the Public Utilities Commission with references to the Municipal Transportation Agency ("MTA") to reflect the MTA's assumption of authority over functions previously under the jurisdiction of the Commission. (Parking and Traffic Department)

12/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED RESOLUTIONS

061670 **[Gift - Private - Department of Public Health, Laguna Honda Hospital & Rehabilitation Center]**
Supervisor Elsbernd

Resolution authorizing the Department of Public Health, Laguna Honda Hospital & Rehabilitation Center to accept a gift of van valued in the amount of $39,889.16 from the Laguna Honda Hospital Volunteers Inc., for use in the transportation of LHH residents off campus. (Public Health Department)

11/29/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Supervisor Elsbernd requested to be added as a co-sponsor.

061671 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

ONE-HOUR PARKING METER TIME LIMIT - RESCIND
TWO-HOUR PARKING METER TIME LIMIT - ESTABLISH
Haight Street, between Masonic Avenue and Stanyan Street (Note: Does not change time limits of green and yellow meters).

ONE-HOUR PARKING METER TIME LIMIT - RESCIND
TWO-HOUR PARKING METER TIME LIMIT - ESTABLISH
Masonic Avenue, Ashbury Street, Clayton Street, Belvedere Street, Cole Street and Shrader Street, approximately 100 feet north and south of Haight Street (Note: does not change time limits of green and yellow meters).

RESIDENTIAL PERMIT PARKING AREA "Y" (2-HOUR TIME LIMIT, 9 AM - 4 PM, EVERYDAY) - ESTABLISH
Harrison Street, north side, between east property line of Beale Street and west property line of 388 Beale Street

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
PARKING METER AREA NO. 1 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Harrison Street, north side, between the west property line of 388 Beale Street and Fremont Street (currently unregulated).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Potrero Avenue, west side, from 24th Street to 16 feet northerly; and,
Potrero Avenue, east side, from 24th Street to 16 feet southerly.

NO PARKING ANYTIME - ESTABLISH
Edgehill Way both sides, between 16 Edgehill Way and 40 Edgehill Way (for fire engine vehicle clearance).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Oak Street, south side, between the driveways of 1165-69 and 1171 Oak Street (9.5 foot space, accommodating 2 unmetered motorcycle spaces).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
McCoppin Street, south side, from Valencia Street to the western terminus of street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
7th Street, west side, from 93 to 112 feet north of Townsend Street (adds 5 more motorcycle spaces).

RESIDENTIAL PERMIT PARKING AREA "O" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Ulloa Street, both sides, between 21st and 22nd Avenues (2000 block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Mission Street, north side, from Farragut Avenue to 40 feet easterly

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Whittier Street, east side, from Mission Street to 76 feet southerly (Parking and Traffic Department)

(11/30/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking

regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street;
DPT Order No. 3274.)

12/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061672 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Avalon Avenue at Moscow Street, stopping westbound Avalon Avenue, making this Y-intersection an All-Way STOP;
Sierra and Texas Streets, stopping Sierra Street, the stem of this T-intersection;
Persia Avenue at Prague Street, stopping Persia Avenue, making this intersection an All-Way STOP;
Devonshire Way and Oak Park Drive, stopping Devonshire Way, making this intersection an All-Way STOP; and,
Kenwood Way and Keystone Way, stopping all approaches to this T-Intersection, making this intersection an All-Way STOP. (Parking and Traffic Department)

(11/30/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3274.)

12/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061673 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET (EASTBOUND ONLY) - ESTABLISH
BICYCLE LANES (EASTBOUND) - ESTABLISH
14th Street, from Market Street to Dolores Streets.

TOW-AWAY LANE MUST TURN RIGHT - ESTABLISH
Broadway, south side, between Grant Avenue and Columbus Avenue. (Parking and Traffic Department)

(11/30/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3274.)

12/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:27 p.m.

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HOUCHEN
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